

**City Planning Commission  
Meeting – February 24, 2015**

**CONSIDERATION – SUBDIVISION DOCKET 162/14  
Applicant: Esplanade Nola, LLC**

**Prepared By:** Stephen Kroll

**Date:** February 18, 2015

**Deadline:** January 18, 2015 (extended with consent of applicant to February 24, 2015)

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**GENERAL INFORMATION**

**Proposal:** Consolidation of Pt. Lot 9 and Pt. Lot 9, per Assmt. Rolls into proposed Lot 9X.

**Location:** Square 108, Second Municipal District, bounded by Esplanade Avenue and North Rampart, Burgundy, and Barracks Streets. All lots comprising the site are located within the Vieux Carré Historic District. (PD 1B)

**Zoning:** VCC-2 Vieux Carré Commercial District

**Current**

**Land Use:** The site includes two lots facing Esplanade Avenue at and near its intersection with North Rampart Street. The first lot, which is called Pt. Lot 9, is an L-shaped lot at the intersection of the two streets which has a width of 31 feet, 2 inches, as measured along Esplanade Avenue; a width of 64 feet, 4 inches, as measured along the rear property line; a depth of 107 feet, 7 inches, as measured along North Rampart Street; and an area of 4,237 square feet. It is developed with circa 1925 Mission-style gasoline service station bearing the address 1040 Esplanade Avenue. The gasoline service station has been vacant for many years.

The second lot, which is called Pt. Lot 9, per Assmt. Rolls, is a rectangular lot with a width of 33 feet, 2 inches; a depth of 81 feet, 1 inch; and an area of 2,689 square feet. It is developed with a circa 1900 two-story, four-bay wood construction structure bearing the address 1036-1038 Esplanade Avenue. The structure contains first floor commercial space and upper floor residential space.

The applicant is proposing to consolidate the two lots into a single lot called Lot 9X. Proposed Lot 9X would measure 64 feet, 4 inches in width; 107 feet, 7 inches in depth; and 6,926.11 square feet in area. The applicant proposes the lot consolidation as part of a proposal to renovate the first floors of both structures for use by a single commercial tenant, a restaurant called Café Habana, which will also occupy portions of the site's exterior. The second floor of 1036-1038 Esplanade Avenue is to be used by a residential unit. This mixed residential/commercial use of the site, which is currently being reviewed by the Vieux Carré Commission, is permitted by right in the VCC-2 District

**Reason for**

**CPC Action:** The Subdivision Regulations do not include policies which permit the proposed subdivision to be approved administratively. Therefore, the subdivision must be considered by the City Planning Commission.

**ANALYSIS****Compliance with the Comprehensive Zoning Ordinance and the Subdivision Regulations:***Comprehensive Zoning Ordinance Compliance***LOT SIZE****Existing**

**Lots:** The first lot, called Pt. Lot 9, has a width of 31 feet, 2 inches, as measured along Esplanade Avenue; a width of 64 feet, 4 inches, as measured along the rear property line; a depth of 107 feet, 7 inches, as measured along North Rampart Street; and an area of 4,237 square feet.

The second lot, called Pt. Lot 9, per Assmt. Rolls, is a rectangular lot measuring 33 feet, 2 inches in width; 81 feet, 1 inch in depth; and 2,689 square feet in area.

**Proposed**

**Lot:** Proposed Lot 9X would have a width of 64 feet, 4 inches, a depth of 107 feet, 7 inches, and an area of 6,926.11 square feet.

The proposed lot is compliant with the applicable lot width, depth, and area standards in the Comprehensive Zoning Ordinance. In accordance with **Article 8, Section 8.5.7** and **Table 8.D** of the Comprehensive Zoning Ordinance, there are no minimum or maximum lot width or lot depth requirements for any lot in a VCC-2 Vieux Carré Commercial District. There is no minimum or maximum lot area requirement for commercial uses. There is a minimum lot area requirement for residential units based on the number of dwelling units. For one unit buildings such as the proposed building, there is a minimum lot area requirement of 1,500 square feet. The 6,926.11 square foot proposed lot would exceed this minimum lot area requirement.

While this review indicates that the proposed lot meets the applicable requirements of the Comprehensive Zoning Ordinance, this review does not consider any particular development or use of the lot which might occur. As with all lots throughout the city, the compliance of any proposed development or use of this lot with the Comprehensive Zoning Ordinance's development standards (such as setback, floor area ratio, and open space ratio requirements) will be determined by the Department of Safety and Permits as part of the normal building permit review process.

### *Subdivision Regulations Compliance*

The Subdivision Regulations do not include policies which permit to the proposed subdivision to be approved administratively. Therefore, the subdivision must be considered by the City Planning Commission.

The proposal meets all applicable requirements of the Subdivision Regulations. Further, the new lot would be larger than the existing lots. The Subdivision Regulations generally view larger lots as preferable to smaller lots, and so the proposed condition should be viewed as an improvement over the existing condition. For these reasons, the proposal should be viewed favorably by the City Planning Commission.

### **Utilities and regulatory agencies:**

The City Planning Commission, when reviewing a proposed subdivision, requests written responses from the Department of Property Management Division of Real Estate and Records, Department of Public Works, Department of Safety and Permits, Sewerage and Water Board, and Entergy regarding the compliance of the proposed subdivision with the building codes, zoning ordinance, and other regulatory documents governing development in the city.

As of the initial writing of this report for the January 13 City Planning Commission meeting, the representative of the Department of Safety and Permits noted that it has no objection to the proposal. The Department of Property Management, Division of Real Estate noted no exceptions to the survey but noted that the ownership entity was not identified correctly on the application form. That error has since been corrected. The Sewerage and Water Board noted that sewer and water facilities and subsurface drainage are available. Sewer and water house connections are not shown on the re-subdivision survey, so it is necessary for a note to be included on the survey indicating that sewer and house connections are the responsibility of the property owner. The City Planning Commission has not yet received written responses from the Vieux Carré Commission the Department of Public Works and Entergy regarding the proposal. The Vieux Carré Commission is scheduled to address the request at their meeting of January 7, 2015. The staff will be able to report the results of that meeting at the City Planning Commission meeting on January 13, 2015.

### **SUMMARY**

Subdivision Docket 162/14 is a request to consolidate two lots on Esplanade Avenue at and near its intersection with North Rampart Street in the Vieux Carré into a single lot of record. Currently, one of the lots is developed with a turn of the 20<sup>th</sup> century two-story structure (1036-1038 Esplanade Avenue) while the other lot is developed with a long-vacant, early 20<sup>th</sup> century gas station (1040 Esplanade Avenue). The lot consolidation is requested as part of an effort to connect the two properties for mixed use development, with the ground levels of both structures being used as a restaurant and the second floor of the two-story structure as a residential unit. The request meets all applicable requirements of the Comprehensive Zoning Ordinance and the Subdivision Regulations and should therefore be viewed favorably by the Commission.

## **PRELIMINARY STAFF RECOMMENDATION<sup>1</sup>**

The staff recommends **tentative approval** of Subdivision Docket 162/14 with final approval subject to the following three (3) provisos:

### *Provisos*

1. The applicant shall comply with all applicable Subdivision Regulations, including the submittal of mortgage and tax certificates for the petitioned site.
2. The applicant shall comply with any requirements of the Department of Safety and Permits, the Division of Real Estate and Records, the Department of Public Works, Sewerage and Water Board, Entergy, and the Vieux Carré Commission.
3. The applicant shall submit a digital copy of the final subdivision survey plan in .dwg, .dxf, or ESRI compatible file format.

## **REASON FOR RECOMMENDATION**

1. The proposal satisfies all applicable requirements of the Comprehensive Zoning Ordinance and the Subdivision Regulations.

## **CITY PLANNING COMMISSION MEETING (JANUARY 13, 2015)**

The speakers at the public hearing are identified on the attached public speaker sheet and cards.

The Principal City Planner summarized the information in the foregoing report. He noted that the staff recommended the approval of the request for the reasons described above.

Commissioner Steeg made a motion to defer action on the request until the February 10, 2015 meeting. Commissioner Mora seconded the motion.

### **MOTION:**

BE IT MOVED BY THE CITY PLANNING COMMISSION THAT SUBDIVISION DOCKET 162/14 IS HEREBY DEFERRED UNTIL THE FEBRUARY 10, 2015 CITY PLANNING COMMISSION MEETING.

YEAS: Bryan, Mitchell, Mora, Steeg

NAYS: Brown, Marshall, Wedberg

ABSENT: Duplessis, Hughes

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<sup>1</sup> The preliminary staff recommendation is subject to modification by the City Planning Commission.

The motion resulted in a **NO LEGAL MAJORITY** vote.

Commissioner Marshall made a motion to approve the request as recommended by the staff. Commissioner Wedberg seconded the motion.

MOTION:

BE IT MOVED BY THE CITY PLANNING COMMISSION THAT SUBDIVISION DOCKET 162/14 IS HEREBY GRANTED TENTATIVE APPROVAL SUBJECT TO THREE (3) PROVISOS.

*Provisos*

1. The applicant shall comply with all applicable Subdivision Regulations, including the submittal of mortgage and tax certificates for the petitioned site.
2. The applicant shall comply with any requirements of the Department of Safety and Permits, the Division of Real Estate and Records, the Department of Public Works, Sewerage and Water Board, Entergy, and the Vieux Carré Commission.
3. The applicant shall submit a digital copy of the final subdivision survey plan in .dwg, .dxf, or ESRI compatible file format.

YEAS: Brown, Marshall, Wedberg

NAYS: Bryan, Mitchell, Mora, Steeg

ABSENT: Duplessis, Hughes

The motion resulted in a **NO LEGAL MAJORITY** vote.

Commissioner Wedberg made a motion to defer action on the request until the February 24, 2015 meeting. Commissioner Mora seconded the motion, which was adopted.

MOTION:

BE IT MOVED BY THE CITY PLANNING COMMISSION THAT SUBDIVISION DOCKET 162/14 IS HEREBY DEFERRED UNTIL THE FEBRUARY 24, 2015 CITY PLANNING COMMISSION MEETING.

YEAS: Brown, Bryan, Marshall, Mitchell, Mora, Steeg, Wedberg

NAYS: None

ABSENT: Duplessis, Hughes

## **FURTHER CONSIDERATION**

At the January 13, 2015 City Planning Commission meeting, the Commissioners and speakers at the public hearing raised several issues relating to the application. The issues are identified and addressed by the staff as follows.

### **Timeline of administrative events**

Some Commissioners requested clarification as to the order in which the Café Habana development proposal is reviewed by City agencies. There is some flexibility in the process but, in general, it should occur in the following order:

1. First, the development must be reviewed and approved by the Vieux Carré Commission. It must authorize the change in property's use, as required by **Article 8, Section 8.1** of the Comprehensive Zoning Ordinance. It must review the re-subdivision proposal, as required by **Article 4, Section 4.1.3** of the Subdivision Regulations. It must review and approve changes to the buildings' exteriors, which is one of the Vieux Carré Commission's duties as stated in the 1936 State Constitutional Amendment.

The Vieux Carré Commission has granted final approval of the development proposal. It recommend to the City Planning Commission approval of the subdivision application. It recommended to the Department of Safety and Permits approval of the change in use.

2. Second, the applicant can apply to the Department of Safety and Permits for building permits. The Department of Safety and Permits will address all issues relative zoning requirements, building code requirements, and occupancy and load requirements in the course of this review.
3. Third, the subdivision is/is not approved by the City Planning Commission.
4. Fourth, the Vieux Carré Commission will issue a permit for the project once the architect provides an updated, final set of plans and once/if the subdivision is approved and recorded.
5. Fifth, the Department of Safety and Permits issues building permits.
6. Sixth, the Department of Safety and Permits issues a Certificate of Use and Occupancy

It should be noted that the lot consolidation is proposed to address issues related to the building code and fire rating. The applicant could modify its development proposal to address those issues in other ways. For example, instead of consolidating the two lots, the applicant could keep the lots separate but request a waiver of the building code requirements from the Board of Building Standards and Appeals. Alternatively, the development proposal could be modified so that buildings do not cross lot lines and do not conflict with other building code and fire rating requirements. In either case, the lot consolidation would not be needed and the applicant could proceed without it.

## Statements of policy and purpose in Article 1 of Subdivision Regulations

There was a question as to whether the statements of policy and purpose contained in **Article 1** of the Subdivision Regulations allow the Commission to consider not only the subdivision's compliance with the Subdivision Regulations, but also consider aspects of the development proposal, such as the use of the site as a restaurant, its size, and the potential impacts on surrounding properties. In the staff's view, the City Planning Commission's consideration of this development proposal should be limited to the subdivision's compliance with the Subdivision Regulations.

The City has the police power to regulate the size and shape of lots, nature and use of buildings, and other aspects of the use of private property in order to preserve the general health, safety, and welfare of the community. This police power is exercised by different City entities as it relates to different aspects of the use and development of land. The City Planning Commission regulates the division and consolidation of land through its Subdivision Regulations. Other aspects of land use and development, such as land use and the physical character of buildings, are governed by other City regulatory agencies, including the Department of Safety and Permits (through its enforcement of the Comprehensive Zoning Ordinance and the building code) and the Vieux Carré Commission (through its regulation of buildings in the Vieux Carré).

In its role as the body which regulates the subdivision of land, City Planning Commission attempts to ensure the "orderly, planned, efficient and economical development of the City" and to "promote, protect and provide for the public health, safety, convenience, and general welfare of the residents of the City of New Orleans,"<sup>2</sup> as stated in **Article 1** of the Subdivision Regulations.

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<sup>2</sup>The "statement of policy" in **Article 1, Section 1.3 Statement of Policy** of the Subdivision Regulations includes but is not limited to:

"1.3.1. Orderly, planned, efficient and economical development. It is hereby declared to be the policy of the Commission to consider the subdivision of land and its subsequent development as one of the principal steps in carrying out the general purpose of adopted elements of the New Orleans Master Plan for the orderly, planned, efficient and economical development of the City.

"1.3.3. Correlation with other regulatory documents. A proposed subdivision shall be correlated with adopted elements of the New Orleans Master Plan; the Major Street Plan; and the Capital Improvements Program of the governing bodies of the City of New Orleans and respective agencies having responsibilities for public improvements. These regulations are intended to supplement and facilitate the enforcement of the provisions and standards contained in the building, housing and related codes, zoning ordinances and other regulatory documents governing development of the City."

In pursuit of that policy, the Subdivision Regulations are applied to accomplish several purposes identified in **Article 1, Section 1.4 Statement of Purpose**, including but not limited to:

"1.4.1. General welfare. To promote, protect and provide for the public health, safety, convenience, and general welfare of the residents of the City of New Orleans.

"1.4.2. Growth management/Social and economic stability. To guide the future growth and development of the land within the jurisdiction in accordance with adopted elements of the New Orleans Master Plan. To protect the character and the social and economic stability of all parts of the City. To encourage the orderly and beneficial development of the community through appropriate growth management techniques which assure adequate public

These goals are very broad and somewhat subjective, and so the City Planning Commission has adopted specific criteria for determining if they have been achieved. The City Planning Commission ensures that the subdivision of land occurs in a manner that furthers these goals by requiring compliance with the Subdivision Regulations. Specifically, **Article 5, Section 5.1** of the Subdivision Regulations requires that "[i]n general, any proposed subdivision shall conform to all adopted elements of the New Orleans Master Plan, adopted neighborhood plans, all applicable ordinances and regulations, and shall conform to the general principles of acceptability and the design standards established in this Article and **Articles 4, 6 and 7** of these regulations."

In general, standards contained within the Subdivision Regulations relate to the size and shape of lots and the lots' relationship with adjacent streets, railroads, and natural features. For that reason, it contains regulations relevant to the size, shape, and character of lots that are used in evaluating subdivision proposals.

The Subdivision Regulations does not seek to control the physical character of buildings, the use of buildings and land, the impacts of land use, building capacity, parking, noise, the sale of alcoholic beverages, or any other issues related to land use. For that reason, it does not contain standards relative to those issues.

Since the specific criteria contained within the Subdivision Regulations are intended to ensure that subdivisions of land protect the public health, safety, and general welfare, the staff believes the Commission should evaluate only this proposal's compliance with the Subdivision Regulations. The use of the proposed lot should not be considered as part of this application, as the City regulates that aspect of the restaurant proposal through the Department of Safety and Permits and the Vieux Carré Commission

### **Precedent for the lot consolidation proposal**

At the January 13 City Planning Commission meeting, some opponents to the lot consolidation proposal mentioned a supposed 50 year old policy against the consolidation of lots in the Vieux Carré. There is no such policy in the Subdivision Regulations, nor is there one in practice. In fact, the consolidation of lots in the Vieux Carré occurs with some regularity. This is indicated by the table below, which lists all applications for lot consolidations in the Vieux Carré submitted since 2010 which have been considered by the City Planning Commission. Pending applications which have not yet been considered by the City Planning Commission are not included.

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facilities accompany new development. To promote infill development in existing neighborhoods and in non-residential areas where adequate public facilities already exist. To assure orderly development and adequate open space and protection of environmentally sensitive areas and areas premature for urban development.

"1.4.4. Land uses. To protect, conserve and enhance the economic and ecological value of land and the value of buildings and improvements on the land, and to minimize the conflicts among the uses of land and buildings."



Completed subdivision applications for properties in the Vieux Carré, 2010 - present							
Docket	Address	Zoning	New lot characteristics				Disposition
			Name	Width	Depth	Area	
SD 140/14	207-209 N. Peters St.	VCE-1	2-A	49'-11"	105'-1"	5,121 sf	Tentative approval <sup>3</sup>
SD 132/14	939 Iberville St., 918-920 Bienville St.	VCC-2	FQ	Varies	Varies	46,550 sf	Final approval
SD 127/14	1014 Chartres St.	VCR-2	1-A	46'-8"	63'-10"	2,984 sf	Final approval
SD 126/13	833-839 Decatur St.	VCC-1	A-1	59'-1"	78'-3"	4,630 sf	Tentative approval <sup>4</sup>
SD 170/11	1100 N. Rampart St.	VCC-2	20-A	67'-6"	80'	5,407 sf	Final approval
SD 017/11	519 Wilkinson St.	VCC-2	4A	149'-6"	59'-8"	8,923 sf	Final approval
SD 009/11	910-914 Toulouse St.	VCR-1	B-1	60'-8"	77'-9"	4,718 sf	Final approval
SD 135/10	610-612 Bienville St., 200-230 Exchange Pl., 609 Iberville St.	VCC-2	M-1	Varies	Varies	22,939 sf	Denied <sup>5</sup>

Some speakers expressed concern that the proposed lot would be atypically large and would set a precedent for the creation of large sites. In fact, the proposed lot would not be excessively large and would set no such precedent for the VCC-2 District in which it is located. There are a significant number of sites that are larger than the proposed lot in the VCC-2 District, which extends along North Rampart Street from Esplanade Avenue to Iberville Street and in a river-bound direction toward Bourbon Street between Iberville Street and Conti Street. These larger sites<sup>6</sup> are identified in the table below. This table includes only sites that are larger than the proposed lot in area and does not include any sites that are smaller than the proposed lot. There are some lots in the area that, while slightly smaller than the proposed lot, are still roughly similar in size to it but those lots are not included in the table. Since these larger lots are all in the same VCC-2 District as the site, this list makes clear that the proposed lot would not create a new precedent for large sites in the VCC-2 District. In fact, the proposed lot would be consistent with what already exists in the VCC-2 District.

<sup>3</sup> The City Planning Commission granted Subdivision Docket 140/14 tentative approval on December 9, 2014. The subdivision has not yet been granted final approval and has not yet been recorded with the Office of Conveyances.

<sup>4</sup> The City Planning Commission granted Subdivision Docket 126/13 tentative approval on February 11, 2014. The subdivision has not yet been granted final approval and has not yet been recorded with the Office of Conveyances.

<sup>5</sup> The City Planning Commission denied Subdivision Docket 135/10 on November 9, 2010. It was denied because the proposed Lot M-1 would have been a double frontage lot and would have had an irregular shape that would have been unusual for the area.

<sup>6</sup> In describing the site of the sites, the staff consulted the records of the Orleans Parish Assessor's Office and the City's zoning map, including historic maps. In cases where the lot dimensions were not identified by those sources, the staff estimated the site dimensions using the measurement tools provided on the Orleans Parish Assessor's Office's website. It should be noted that this list includes development site identified by the Orleans Parish Assessor's Office's website, which in some cases are formed by a single lot and in other cases are formed by multiple lots which together form a single site, often characterized by buildings crossing multiple lots. These multiple lot parcels are included because the lots function as single parcels and are recognized as such by the Orleans Parish Assessor's Office, even though the lots have not been formally consolidated into a single lot.

Existing sites in the same VCC-2 District as the proposed lot which are larger than the proposed lot						
Parcel address	Square	Lot	Width	Depth	Area	Use
1236 N. Rampart St.	107	Multiple	Varies	Varies	50,317 sf	Center of Jesus the Lord church
1040 Gov. Nicholls St.	106	Multiple	140'	130'	17,177 sf	St. Mark's Church
1112 N. Rampart St.	106	18A	Varies	Varies	13,606 sf	Residential
1024 N. Rampart St.	105	A	61'	215'	13,115 sf	Television studio
920 N. Rampart St.	104	15	Varies'	211'	27,273 sf	Hotel
1001 Toulouse St.	100	Multiple	Varies	Varies	29,972 sf	Hotel
524 N. Rampart St.	99	C	118'	124'	14,592 sf	Undeveloped lot
426 N. Rampart St.	98	Multiple	59'	131'	7,729 sf	Parking lot
420 N. Rampart St.	98	Multiple	Varies	131'	15,740 sf	Parking lot
1022 St. Louis St.	98	12	55'	197'	10,835 sf	Parking lot
1025 Bienville St.	97	Multiple	Varies	Varies	48,115 sf	Multi-tenant commercial
1001 Bienville St.	97	Multiple	90'	130'	11,328 sf	Multi-tenant commercial
222 N. Rampart St.	96	Multiple	Varies	Varies	31,920 sf	Health club
200 N. Rampart St.	96	Multiple	127'	240'	30,418 sf	Parking garage
1001-1009 Iberville St.	96	1	86'	127'	10,922 sf	Parking lot
939 Iberville St.	93	Multiple	180'	210'	37,436 sf	Proposed multi-family residential
911 Iberville St.	93	Multiple	125'	180'	19,375 sf	Parking garage
936 Conti St.	92	Multiple	97'	129'	12,513 sf	Residential
320 Burgundy St.	92	Multiple	68'	Varies	7,940 sf	Parking lot
920 Conti St.	92	Multiple	Varies	Varies	12,532 sf	Residential
323-327 Dauphine St.	92	A6	44'	Varies	11,448 sf	Hotel
301 Dauphine St.	92	Multiple	130'	Varies	19,702 sf	Hotel
819 Conti St.	70	Multiple	Varies	148'	11,190 sf	Restaurant
818 St. Louis St.	70	Multiple	Varies	Varies	13,504 sf	Museum
825-35 Bienville St.	69	Multiple	Varies	Varies	8,450 sf	Reception venue
318 Dauphine St.	69	Multiple	Varies	Varies	16,128 sf	Parking lot
814 Conti St.	69	13	64'	128'	8,192 sf	Office
830 Conti St.	69	11A	128'	128'	16,359 sf	Hotel
200 Dauphine St.	68	Multiple	Varies	Varies	22,569 sf	Restaurant/parking garage

One may also contend that while there are sites in the VCC-2 District that are larger than the proposed lot, many of those larger sites are not in the immediate vicinity of the proposed lot and so the proposed lot would set a precedent for the portion of the Vieux Carré nearest the intersection of Esplanade Avenue and North Rampart Street. This would not be correct. The staff looked at all properties in the area bounded by Esplanade Avenue, North Rampart Street, Ursulines Avenue, and Bourbon Streets. This includes the area extending from the subject site a distance of three blocks along Esplanade Avenue, three blocks along North Rampart Street, and includes nine City squares.

Existing development sites on these City squares which are larger than the proposed lot are shown below. (The lots are all in the VCR-1 and VCR-2 Districts. Lots in the VCC-2 District, which are included in the previous table, are not included.) This table indicates that while the

majority of sites in the portion of the Vieux Carré nearest the site are smaller than the proposed lot, there are a significant number of sites that are larger than the proposed lot. As such, the proposed lot is not unprecedented in size; in fact, a precedent for lots of its size already exists. Given that such a precedent exists and that there is no maximum lot size requirement in the Subdivision Regulations or the Comprehensive Zoning Ordinance, the staff finds that the proposed lot is not excessively large and should not be objected to for that reason.

Parcel address	Square	Lot	Width	Depth	Area	Zoning	Use
1020 Esplanade Ave.	108	6	67'	208'	13,936 sf	VCR-2	Residential
1012 Esplanade Ave.	108	Y	64'	138'	8,832 sf	VCR-2	Residential
920-924 Gov. Nicholls St	83	9	Varies	165'	9,100 sf	VCR-1	Residential
1127 Dauphine St.	83	N or 5	75'	Varies	11,900 sf	VCR-1	Residential
909 Ursulines Ave.	83	M	57'	125'	7,125 sf	VCR-1	Residential
913 Gov. Nicholls St.	82	24	79'	98'	7,742 sf	VCR-1	Residential
923 Gov. Nicholls St.	82	Multiple	59'	127'	7,493 sf	VCR-1	Residential
908 Esplanade Ave.	81	Multiple	63'	122'	7,686 sf	VCR-2	Residential
824 Esplanade Ave.	80	Multiple	77'	123'	12,064 sf	VCR-2	Residential
822 Barracks St.	79	11	60'	160'	9,600 sf	VCR-1	Former institutional
1220 Dauphine St.	79	C-1	81'	Varies'	13,970 sf	VCR-1	Former institutional
831 Gov. Nicholls St.	79	Multiple	95'	111'	10,752 sf	VCR-1	Residential
1221 Bourbon St.	79	Multiple	65'	127'	8,200 sf	VCR-1	Residential

### Use of the site

The Commission expressed its desire for additional detail regarding the proposed use of the site as a restaurant. The most recent set of plans for the restaurant is attached to this report. Additionally, the staff consulted with the Department of Safety and Permits as to whether the proposed use of the restaurant was allowable at the site and the zoning requirements to which the restaurant would be subject. The Department of Safety and Permits has determined that the proposed restaurant use is permitted by right at the site and that it is not subject to an off-street parking requirement. The development's compliance with development standards, including open space ratio and other zoning requirements, will be evaluated by the Department of Safety and Permits when it receives plans for review as part of its normal building permit review process. The Department of Safety and Permits noted that because the proposed use is a restaurant, the restrictions on the sale of alcoholic beverages in Section 10-236 of the City Code would not apply. Further, issues related to the capacity and allowable occupant load of any space within the restaurant will be evaluated when plans are received for review by the Department of Safety and Permits and the State Fire Marshal<sup>7</sup>.

Some speakers at the public hearing raised concerns about the impacts they perceived could result from the proposed lot's use by a restaurant. It should be noted that if this subdivision proposal is denied, it would not preclude the use of the two existing separately lots in a manner

<sup>7</sup> See letter from Jared Munster, Ph.D. Director, Department of Safety and Permits, to Robert. D. Rivers, Executive Director, City Planning Commission, February 13, 2015.

consistent with the VCC-2 District, which allows for “more intensive commercial uses”<sup>8</sup> which potentially generate relatively high levels of activity, noise, etc., as a result of their greater intensity. The VCC-2 District allows as permitted uses restaurants, a limited range of retail stores, service establishments, banks, clinics, offices, and miscellaneous other uses. These uses could operate within the existing buildings or potentially new buildings, should the demolition of existing structures (specifically the gas station, which is rated brown, indicating that it is “objectionable or of no architectural/historical value”<sup>9</sup>) be permitted by the Vieux Carré Commission. In a scenario in which the gas station is demolished, it could potentially be replaced by right with a building standing up to 50’ in height, with no setbacks, and with no restriction on its floor area ratio, in accordance with the requirements of the VCC-2 District in **Article 8, Section 8.5.7** and **Table 8.D** of the Comprehensive Zoning Ordinance. This analysis shows that regardless of whether or not the two lots are consolidated into a single lot, they could nonetheless be businesses which could be comparable to or more intense than the restaurant in physical size, operational intensity, and type and degree of impact on other properties.

### **Consistency with the Master Plan**

Speakers at the public hearing raised concerns as to whether the proposal is consistent with the City’s Master Plan, titled *Plan for the 21<sup>st</sup> Century: New Orleans 2030*.

Article V, Chapter 4, Section 5-404 of the Home Rule Charter of the City of New Orleans requires all land use actions (including approval of subdivision plans) to be consistent with the Master Plan. A land use action is consistent with the Master Plan if it furthers, or at least does not interfere with, the goals, policies, and guidelines in the Land Use Element of the Master Plan and is compatible with the uses, densities, and intensities of the designation of its site on the future land use map.

The Master Plan’s future land use map (“Chapter 14: Land Use Plan” of the Master Plan) designates the two parcels forming this site for **Mixed-Use Historic Core** future land use. The goal, range of uses and development character for the Neighborhood Commercial designation is copied below:

#### **MIXED-USE HISTORIC CORE**

Goal: Increase convenience and walkability for neighborhood residents and visitors within and along edges of historic core neighborhoods.

Range of Uses: A mixture of residential, neighborhood business, and visitor-oriented businesses. Uses may be combined horizontally or vertically, and some structures may

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<sup>8</sup> **Article 8, Section 8.5.1** of the Comprehensive Zoning Ordinance notes that the purpose of the VCC-2 District is “to permit more intensive commercial uses than in the VCC-1 District, yet protect the historic character of the Vieux Carré. The district includes the major shopping area of the Vieux Carré.”

<sup>9</sup> The brown rating indicates that the gas station structure is ‘objectionable or of no architectural/historical value.’ The brown rating means there is much more flexibility allowed by the Vieux Carré Commission relative to renovation, design, use of materials, or demolition. Since brown is the lowest rating, brown rated buildings may be permitted for demolition. E-mail from Sarah Ripple, Architectural Historian, Vieux Carré Commission, to Stephen Kroll, February 6, 2015.

require ground floor retail with residence or offices on upper floors. In some areas where current or former industrial use is verified, existing buildings may be appropriate for craft and value added industry.

Development Character: The density, height, and mass of new development will be consistent with the character and tout ensemble of the surrounding historic neighborhood. Appropriate transitions will be provided to surrounding residential areas.

This proposal to consolidate the two lots into a single lot is consistent with this Mixed-Use Historic Core future land use designation. As discussed in this report, the proposed lot's size and shape is consistent with the established lot pattern in the area. While the proposed use of the site by a restaurant is not the immediate subject of this report, the staff believes it is also consistent with the Mixed-Use Historic Core future land use designation. Restaurants, which would presumably serve a mix of neighborhood residents and visitors, are within the range of uses intended for the Mixed-Use Historic Core designation. The restaurant proposal also adheres to the Mixed-Use Historic Core designation's development character requirements, as the restaurant is to occupy two existing historic structures and the proposal has been approved by the Vieux Carré Commission.

### **Utilities and regulatory agencies**

Since the January 13 City Planning Commission meeting, the Vieux Carré Commission has provided detailed information about its review of the subdivision proposal and other aspects of the proposed restaurant development. The comments from other agencies relative to the proposal are below.

#### Vieux Carré Commission

The Vieux Carré Commission has granted final approval of the development proposal. It recommend to the City Planning Commission approval of the subdivision application. It recommended to the Department of Safety and Permits approval of the change in use. The Vieux Carré Commission will issue a permit for the project once the architect provides an updated, final set of plans and once/if the subdivision is approved. As part of the approval, the Vieux Carré Commission has prohibited the use of umbrellas on the canopy rooftop.<sup>10</sup>

#### Department of Safety and Permits

As of the writing of this report, the representative of the Department of Safety and Permits noted that it has no objection to the proposal.

#### Department of Property Management, Division of Real Estate and Records

The Department of Property Management, Division of Real Estate and Records noted no exceptions to the proposal.

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<sup>10</sup> E-mail from Sarah Ripple, Architectural Historian, Vieux Carré Commission, to Stephen Kroll, January 14, 2015. See the attached "Vieux Carré Commission Property Summary Report."

## Sewerage and Water Board

The Sewerage and Water Board noted that sewer and water facilities and subsurface drainage are available. Sewer and water house connections are not shown on the re-subdivision survey, so it is necessary for a note to be included on the survey indicating that sewer and house connections are the responsibility of the property owner.

## Other

The City Planning Commission has not yet received written responses from the Department of Public Works and Entergy regarding the proposal. Since no written response from those agencies was received within 30 days of the date of request, the Executive Director of the City Planning Commission may consider that the agencies have approved the proposal as submitted, in accordance with **Article 4, Section 4.1.3** of the Subdivision Regulations.

## **Written comments**

Since the January 13, 2015 City Planning Commission meeting, the staff received additional written comments from members of the public. These comments included concerns relative to the level of noise which might be generated by the restaurant, the physical character of the restaurant, the restaurant's adherence to fire and building codes and potential occupancy levels, and the environmental condition of the site.

All of these issues are to be reviewed and addressed by the appropriate regulatory agencies, not by the City Planning Commission. The physical character of the restaurant is regulated by the Vieux Carré Commission, which has granted final approval of the development proposal as noted above. Issues relative to occupancy and building and fire codes are to be addressed by the Department of Safety and Permits and the State Fire Marshal, as applicable, as they review the building permit application for the property. Issues relative to the environmental condition of the site are addressed by the Louisiana Department of Environmental Quality. Noise produced by any future use of the site, as a restaurant or otherwise, is subject to the noise regulations included in the City Code, which are enforced by the City Department of Health and the Police Department.

The City Planning Commission is not the regulatory agency which addresses these issues and can proceed with its consideration of this application. Those issues can be addressed by the appropriate regulatory agencies separately and need not delay the City Planning Commission's review of this application.

## **PRELIMINARY STAFF RECOMMENDATION<sup>11</sup>**

The staff continues to recommend **tentative approval** of Subdivision Docket 162/14 with final approval subject to the following three (3) provisos:

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<sup>11</sup> The preliminary staff recommendation is subject to modification by the City Planning Commission.

*Provisos*

1. The applicant shall comply with all applicable Subdivision Regulations, including the submittal of mortgage and tax certificates for the petitioned site.
2. The applicant shall comply with any requirements of the Department of Safety and Permits, the Division of Real Estate and Records, the Department of Public Works, Sewerage and Water Board, Entergy, and the Vieux Carré Commission.
3. The applicant shall submit a digital copy of the final subdivision survey plan in .dwg, .dxf, or ESRI compatible file format.

WPA

**SUBDIVISION DOCKET 162/14** – Request by ESPLANADE NOLA, LLC to resubdivide Pt. Lot 9 and Pt. Lot 9 into Lot 9X, Square 108, in the Second Municipal District, bounded by Esplanade Avenue, N Rampart, Barracks and Burgundy Streets. The municipal addresses are 1036-38 and 1040 ESPLANADE AVENUE. (PD 1B) (SK)

[illegible]



LAND USE MATTERS & COUNCIL COMMITTEE MEETINGS

Mr. / Mrs. President: SD Date: 1/13/15  
 I would like to speak regarding 162/14

☐ in support ☒ in opposition ☐ information only  
 Name: KATHERINE HARMON  
 (please print clearly)

Representing: CITIZENS ACTION  
 Address: QUINN, EB

Remarks: HELP SPEAKING TIME  
TO TONY JOHNSON.

LAND USE MATTERS & COUNCIL COMMITTEE MEETINGS

Mr. / Mrs. President: SD Date: Jan 13, 2015  
 I would like to speak regarding Habana

☐ in support ☒ in opposition ☐ information only  
 Name: Co Co Barnett  
 (please print clearly)

Representing: Self - ceding my vote  
 Address: 930 Johnson

Remarks: \_\_\_\_\_

LAND USE MATTERS & COUNCIL COMMITTEE MEETINGS

Mr. / Mrs. President: SD Date: 1-14-15  
 I would like to speak regarding 162/14

☐ in support ☒ in opposition ☐ information only  
 Name: LISA SUAREZ  
 (please print clearly)

Representing: EMMA (PRES)  
 Address: 2320 CHATELAIN

Remarks: EMMA HAS BEEN AGAINT -

LAND USE MATTERS & COUNCIL COMMITTEE MEETING

Mr. / Mrs. President: SD Date: 1/13/15  
 I would like to speak regarding HABANA

☐ in support ☒ in opposition ☐ information only  
 Name: PATRICIA MEADWORTH  
 (please print clearly)

Representing: VCORA  
 Address: \_\_\_\_\_

Remarks: will defer my time to  
Carol Stewart

LAND USE MATTERS & COUNCIL COMMITTEE MEETING:

Mr. / Mrs. President: 1/13/15 Date: 1/13/15

I would like to speak regarding Hebena

☐ in support ☒ in opposition ☐ information only  
Name: Lloyd Sonny Shields  
(please print clearly)

Representing: 650 Paydors St. Suite 2600  
Address: New Orleans, LA 70130

Remarks: \_\_\_\_\_

LAND USE MATTERS & COUNCIL COMMITTEE MEETINGS

Mr. / Mrs. President: 1/13/15 Date: 1/13/15

I would like to speak regarding subdivision  
DOCKET 162/14 - give my fine to ANTHONY JORDAN

☐ in support ☒ in opposition ☐ information only  
Name: Bernadette Rcy holds  
(please print clearly)

Representing: Citizens Action Comm  
Address: 1427 Dauphine

Remarks: \_\_\_\_\_

LAND USE MATTERS & COUNCIL COMMITTEE MEETINGS

Mr. / Mrs. President: 1/13/15 Date: 1/13/15

I would like to speak regarding Item # 162/14  
Esplanade @ Rampart

☐ in support ☒ in opposition ☐ information only  
Name: Charles Leggett  
(please print clearly)

Representing: Self  
Address: 929 Barracks St

Remarks: \_\_\_\_\_

LAND USE MATTERS & COUNCIL COMMITTEE MEETINGS

Mr. / Mrs. President: 1/13/15 Date: 1/13/15

I would like to speak regarding Item # 162/14  
Esplanade @ Rampart

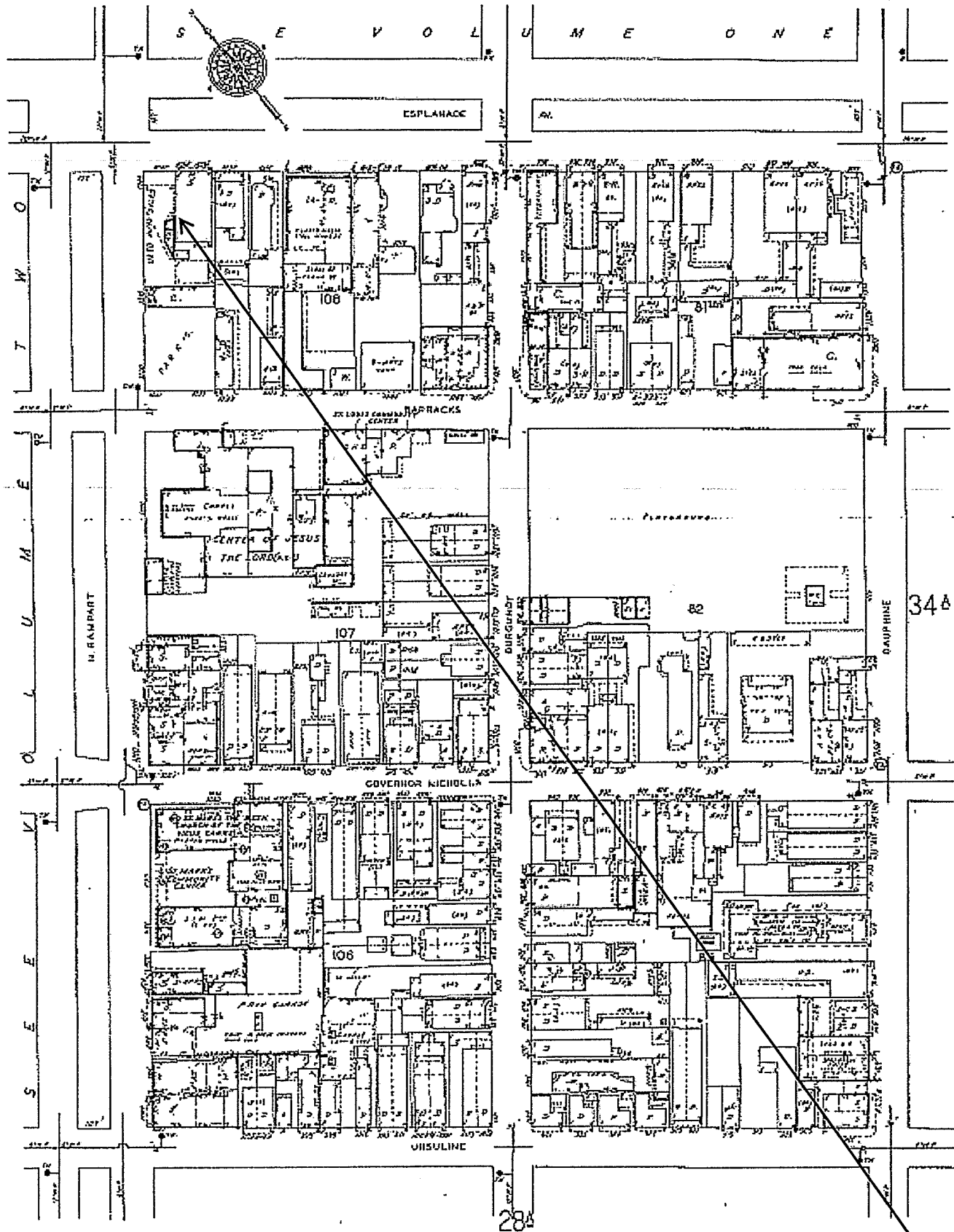
☐ in support ☒ in opposition ☐ information only  
Name: Gary Wheat  
(please print clearly)

Representing: Self  
Address: 1004 Esplanade Ave NOLA 70116

Remarks: Please deny or defer for additional public input



33A



34A

**SQ. NO. 108  
SECOND DISTRICT**

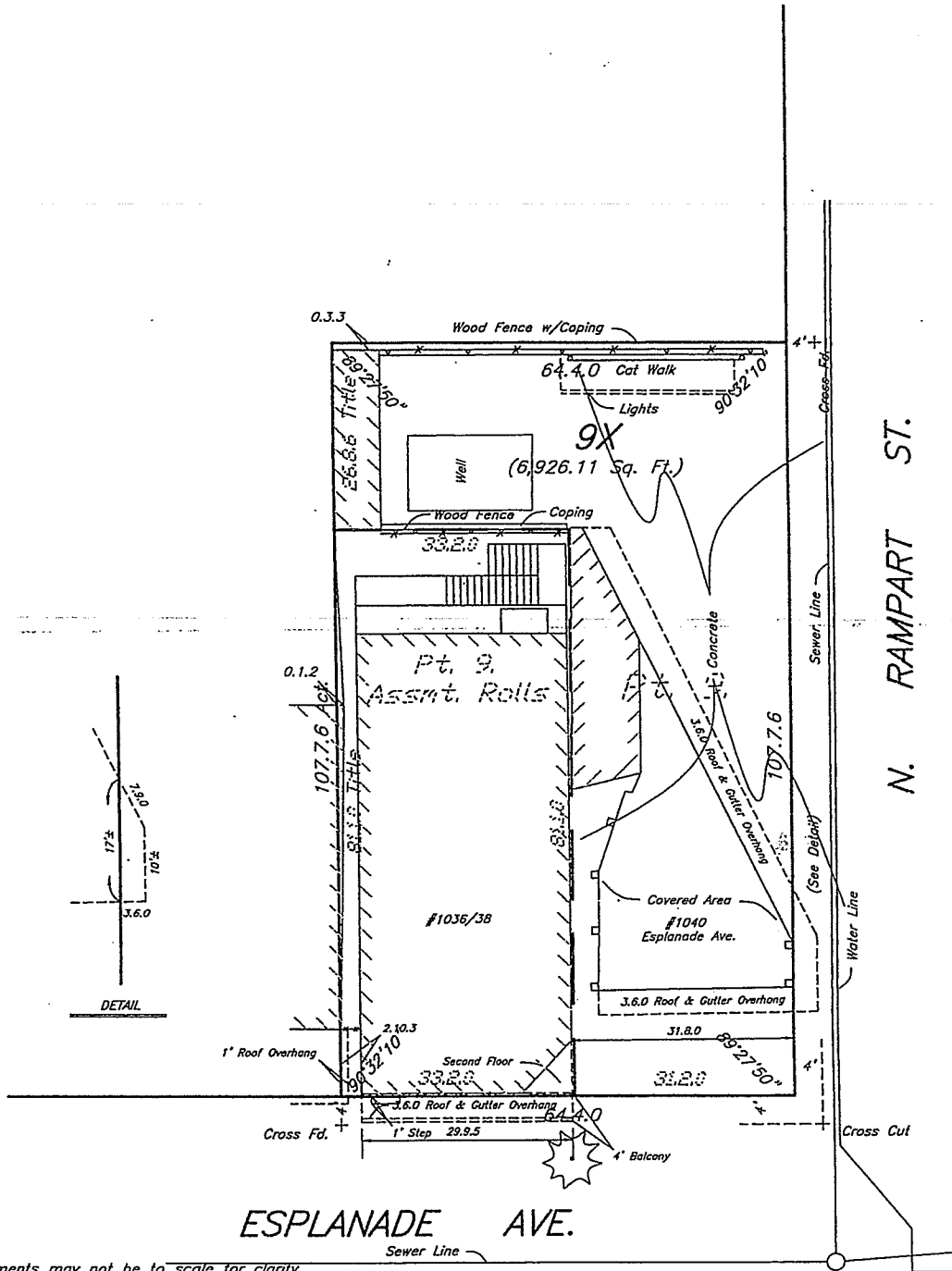
**ORLEANS PARISH  
NEW ORLEANS, LA**

A Resubdivision of Pt. Lot 9, per Assmt. Roll & Pt. Lot 9 Into Lot 9X.

**BARRACKS ST. SIDE**

**BURGUNDY ST. SIDE**

**N. RAMPART ST.**



**Note:**  
Improvements may not be to scale for clarity.  
The dimensions shown prevail over scale.

THE SERVITUDES SHOWN ON THIS PLAT ARE LIMITED TO THOSE FURNISHED TO US. THERE IS NO REPRESENTATION THAT ALL APPLICABLE SERVITUDES ARE SHOWN HEREON. THE SURVEYOR HAS MADE NO TITLE SEARCH OR PUBLIC RECORD SEARCH IN COMPILING DATA FOR THIS SURVEY.

THE FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD BOUNDARY MAP INDICATES THAT THE ABOVE DESCRIBED PROPERTY IS LOCATED IN FIA ZONE SA-1 (46.0').  
All lot angles as per plan of sub.

Date: November 14, 2014

Scale: 1" = 20'

This plat represents an actual ground survey made by me or under my direct supervision and control and meets the requirements for the Standards of Practice for Boundary Surveys as found in Louisiana Administrative Code, TITLE 46:LXI, Chapter 25 for a Class "B" survey.  
Made at the request of Williams & Associates.

Gilbert, Kelly & Couturie', Inc., Surveying & Engineering  
2121 N. Causeway Blvd., Metairie LA 70001 (504) 836-2121

SD 162/14

DEPARTMENT OF SAFETY AND PERMITS  
**CITY OF NEW ORLEANS**

MITCHELL J. LANDRIEU  
MAYOR

JARED E. MUNSTER, PH.D.  
DIRECTOR

DATE: February 13, 2015

TO: Robert D. Rivers, Executive Director, New Orleans City Planning Commission

FROM: Jared Munster, Ph.D., Director, Department of Safety and Permits

RE: 1040 Esplanade Avenue

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Please accept this memorandum as the official response of the Department of Safety and Permits to the questions submitted by the staff of the City Planning Commission on February 6, 2015. Please note that no plans have been submitted to the Department of Safety and Permits for review as of this time, so we cannot speak to specific proposals of this project. However, as the questions presented pertain to general standards of the Zoning Ordinance, Building Code, and Departmental Process, we provide the following information:

- 1) Conform whether a restaurant is a permitted use in the VCC-2 District.  
Per the standards of Article 8, Section 8.5.3 of the Comprehensive Zoning Ordinance, Standard Restaurants are classified as permitted uses in the VCC-2 Vieux Carré Commercial Zoning District.
- 2) Confirm if there is a parking requirement for restaurants in the VCC-2 District.  
Per Article 15, Section 15.2.2 (1) of the Comprehensive Zoning Ordinance, there are no parking requirements for any of the Vieux Carré Districts.
- 3) Confirm that issues related to building code, including the allowable load/capacity of the gas station canopy, would be addressed by Safety and Permits and the State Fire Marshall during permitting process.  
The capacity and allowable occupant load of any space is evaluated when plans are received by the Department of Safety and Permits and the State Fire Marshal. Full architectural plans will be required for the project as it is understood by this Department. These plans should include any professional analysis of the Architect or Engineer of Record on the project which relate directly to the structural stability and load capacity of the canopy structure if the applicant proposes to utilize the structure as an occupiable space.
- 4) Confirm that the compliance with the following section of the City Code (Sec. 10-236) would be checked by Safety and Permits/Revenue/another agency prior to the issuance of an ABO license.  
Compliance with the location restrictions of the City Code are evaluated by the Department of Safety and Permits following application for an Alcoholic Beverage



Outlet license with the Bureau of Revenue. However, as this project is understood, the spacing restrictions of Section 10-236 of the City Code will not apply to this project as it is proposed as a standard restaurant. Section 10-239 specifically excludes restaurants, among other uses, from the spacing restrictions of Section 10-236.

- 5) There was a question about whether the proposed use would meet the VCC-2 District's open space ratio requirements. Confirm that compliance with open space ratio and other zoning requirements will be confirmed through the normal permitting process.

The open space ratio and any other requirements of the Comprehensive Zoning Ordinance will be evaluated when plans are received by the Department of Safety and Permits.

- 6) Any other information you think is relevant to Safety and Permits' review of the proposed use.

It is impossible to state at this time what other information may be pertinent to the review and approval of proposed plans for the redevelopment of this site. The architectural plans submitted to the Department of Safety and Permits should include full architectural details of the existing conditions of the structure(s) and any proposed changes to these conditions as well as site plans for the complete development of the site. As is the protocol of the Department, as well as its legal obligation, the presented plans will be reviewed for compliance with applicable municipal regulations and comments will be provided to the professional of record as required.

## Stephen Kroll

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**From:** Sarah E. Ripple  
**Sent:** Friday, February 06, 2015 4:46 PM  
**To:** Stephen Kroll  
**Subject:** RE:

Not a problem. The gas station is rated brown, which means it is 'objectionable or of no architectural/historical value.' The VCC staff before me did try to have the rating upgraded to yellow (contributes to the character of the district) but the Commission denied it. The brown rating means there is much more flexibility allowed when it comes to renovation, design, use of materials, or demolition. Since brown is the lowest rating, brown rated buildings may be permitted for demolition. The gas station's brown rating is much of the reason the proposed enclosure of the canopy was deemed appropriate, and that change was essentially the major change to the structure.

Does this help? We could talk about it more at length, but that's the gist of it!

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Sarah Ripple, M.S. HP | Architectural Historian | Vieux Carré Commission | 1300 Perdido Street, Rm. 7e05 | New Orleans, LA 70112 | p. 504.658.1429 | f. 504.658.6742

*The VCC has changed the permit application process. Applications should be submitted online using the [One Stop Shop App](#) or by submitting it to the One Stop Shop office, 7th floor, City Hall, 1300 Perdido Street.*

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**From:** Stephen Kroll  
**Sent:** Friday, February 06, 2015 3:59 PM  
**To:** Sarah E. Ripple  
**Subject:**

Hi Sarah,

Can you tell me what the color rating is for the gas station site at 1040 Esplanade and what that rating means?

Stephen Kroll  
Principal City Planner  
City Planning Commission  
City of New Orleans  
1300 Perdido Street  
Room 7W03  
New Orleans, Louisiana 70112  
504.658.7010  
[skroll@nola.gov](mailto:skroll@nola.gov)  
[www.nola.gov/cpc](http://www.nola.gov/cpc)



## Stephen Kroll

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**From:** Sarah E. Ripple  
**Sent:** Wednesday, January 14, 2015 4:00 PM  
**To:** Stephen Kroll  
**Subject:** RE: 111 Iberville Open Space Review  
**Attachments:** Cafe Habana VCC Staff Report.pdf

Stephen,

I've attached the Property Summary Report for the Café Habana project. The report, which begins with the VCC's first review of the project on August 26, 2014, is fourteen pages in length, so, in short the Vieux Carré Commission has granted **final approval** of the proposal and voted to recommend to the CPC **approval** of the resubdivision and to Zoning **approval** of the change in use. The VCC will issue a permit for the project once the architect provides an updated, final set of plans and once/if the resubdivision is approved. As part of the approval, the VCC has prohibited the use of umbrellas on the canopy rooftop.

The most recent set of drawings is the "01.05.15 Café Habana CD submittal with requested revisions" within the "current working sets" folder under permit no. 14-25149-RNVS.

Let me know if you need anything else!

**Sarah Ripple, M.S. HP** | Architectural Historian | Vieux Carré Commission | 1300 Perdido Street, Rm. 705 | New Orleans, LA 70112 | p. 504.658.1429 | f. 504.658.6742

*The VCC has changed the permit application process. Applications should be submitted online using the One Stop Shop App or by submitting it to the One Stop Shop office, 7th floor, City Hall, 1300 Perdido Street.*

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**From:** Stephen Kroll  
**Sent:** Wednesday, January 14, 2015 11:45 AM  
**To:** Sarah E. Ripple  
**Subject:** RE: 111 Iberville Open Space Review

Yep. It went to the Commission yesterday and was deferred until the Commission's February 24 meeting. I'm trying to put additional information in the staff report for the February 24 meeting.

Would you mind telling me what approvals VCC has granted to the entire development proposal (not just the subdivision), such as approval of change of use, approval of the subdivision, etc. Can you also tell me at what meetings those approvals (or denials) were granted and if there are any approvals that are yet to received?

Also, can you tell me which plans in LAMA are the most recent plans for the site?

Also, are there any staff reports for any of the VCC applications, specifically the most recent staff report relating to the use of the site as a restaurant?

If you could help me with any of this, I'd greatly appreciate it. It's not super urgent though.

ADDRESS:	1036-38 Esplanade	APPLICANT:	Myles Martin, Rozas Ward Architects
OWNER:	Esplanade Nola, LLC	SQUARE:	108
ZONING:	VCC-2	LOT SIZE:	2869.3 sq. ft.
USE:	vacant	OPEN SPACE	
DENSITY			
Allowed:	4 units	Required:	806.49 sq. ft.
Existing:	0 units	Existing:	473 sq. ft.
Proposed:	no change	Proposed:	No change

### **ARCHITECTURAL / HISTORICAL DESCRIPTION OF PROPERTY**

Rating: **Yellow**, or contributes to the character of the district.

This address features a circa 1900 2-story, 4-bay frame construction structure, which is embellished with jigsaw work. For many years until 1967, the building housed Villere's Pharmacy on the ground floor with living quarters on the upper floor.

### **DESCRIPTION OF APPLICATION:** 08/26/14

Conceptual proposal to renovate structures, in conjunction with a **change of use** from *vacant* to *restaurant*, per online application & materials received 08/12/14.

This application also includes 1040 Esplanade/1324 N. Rampart.

### **STAFF ANALYSIS & RECOMMENDATION:** 08/26/14

The proposed concept includes the interior renovation of 1036-38 Esplanade and the renovation of 1040 Esplanade/1324 N. Rampart; the latter is primarily a canopy structure formerly used as a gas station and two (2) small enclosed structures. The structures are zoned as VCC-2, which permits the proposed standard restaurant use. Staff would like to affirm that the VCC is not the review entity that approves and permits proposed changes in use; as Article 8, Section 8.1 of the Comprehensive Zoning Ordinance explains, the VCC is responsible for reviewing the proposed, physical changes to the building that are necessary in order for the building to function as the proposed, new use. As submitted, staff finds the concept and changes appropriate, because the proposed changes affect only existing built spaces with no demolition, additions, or new structures included.

The Victorian structure at 1036-38 Esplanade has very few proposed changes. The building as a whole, as well as its historic detailing, will remain intact and unchanged; the installation of rooftop mechanical vents and connections/openings to 1040 Esplanade through the N. Rampart elevation constitute the only significant changes.

The adaptive reuse of a former gas station in the French Quarter provides particular difficulties, because such structure may no longer be used as a gas station as dictated by the usage limitations within the CZO. The rehabilitation of such structures, as well as defunct automobile repair shops, for restaurant and commercial use is increasingly popular throughout the country and has been well done using designs similar to the one proposed for 1040 Esplanade/1324 N. Rampart. The utilization of contemporary, operable, glazed door systems, which act essentially as operable curtain wall systems, allows for a design that capitalizes on existing, large openings that offer desirable qualities such as an abundance of natural light and covered, yet outdoor, seating during pleasant weather. The proposed design also includes the utilization of a portion of the canopy roof-space for outdoor seating. While the proposed design is appropriate, the owner/application must be amenable to instituting a legally binding covenant to ensure that the space beneath the canopy remains within VCC jurisdiction despite the proposed enclosure.

Although staff does have a working punchlist to polish the proposal, the conceptual design as submitted is respectful to the existing buildings, space, and history of commercial use. Consequently, staff recommends **conceptual approval** with developed drawings to be submitted for further review by the Committee. The revised drawings should include the following:

- elevations and plans of the existing conditions,
- an updated, official survey,
- total capacity, as well as capacity broken down by room/space,
- table arrangements for all spaces, particularly for the rooftop and patio areas,
- all proposed signage,
- deletion of the two (2) vertical board, picket fences, which are not permitted by the VCC guidelines, with retention and repair of the existing seven board fence and alternative fence options to separate the patio space,
- all outdoor lighting,
- relocation of mechanical vents to a less visible location, possibly the Burgundy roof-slope, and
- details on the proposed rooftop solar thermal collectors, which may not be approvable based on the

roof slope and visibility from neighboring buildings.

**ARCHITECTURAL COMMITTEE ACTION:**

08/26/14

Ms. Ripple gave the staff presentation with Messrs. Meenan and Martin representing the application. Mr. Meenan then stated that the proposal is very close to his original idea for the property. Mr. Taylor then opened the discussion to the public for comments:

- Meg Lousteau from VCPORA commented that the concerns presented during review of previous proposals have not been addressed, specifically the resubdivision, capacity, and wall/fence on the property line, which is only two (2) feet high and has the potential to become a bench.
- Lloyd "Sonny" Shields reviewed the constitutional amendment authorizing the creation of the VCC, as well as noting the potential site capacity to be 459 occupants based on the preliminary drawings, concerns for the proposed structural revisions to the canopy, and the number of trash receptacles present in the plans. He also noted that no exhausts are noted on the roof for the two kitchens.
- Robert Vanlangendonck requested clarification on whether the historic lightning rods will be restored to 1036-38 Esplanade.

Mr. Taylor then noted that his calculations for potential capacity result in a total of 415 occupants. Mr. Musso noted that the proposal is fairly accommodating as a design and expressed his opinion that the restaurant will most likely never reach 400 people based on the calculations and intentions for fixed seating. Mr. Taylor recommended that the National Park Service Preservation Brief 46 be consulted as part of the review as it addresses the rehabilitation of gas stations specifically. The Committee elected to **conceptually approve** the proposal and to forward the application to the Commission for conceptual review.

**DESCRIPTION OF APPLICATION:**

09/03/14

Conceptual proposal to renovate structures, in conjunction with a **change of use** from *vacant* to *restaurant*, per online application & materials received 08/12/14.

This application also includes 1040 Esplanade/1324 N. Rampart.

**STAFF ANALYSIS & RECOMMENDATION:**

09/03/14

The proposed concept includes the interior renovation of 1036-38 Esplanade and the renovation of 1040 Esplanade/1324 N. Rampart; the latter is primarily a canopy structure formerly used as a gas station and two (2) small enclosed structures. The structures are zoned as VCC-2, which permits the proposed standard restaurant use. Staff affirms that the VCC is not the agency authorized to grant approval for use permits. As Article 8, Section 8.1 of the Comprehensive Zoning Ordinance explains, the VCC is responsible for reviewing the proposed, physical changes to the building that are necessary in order for the building to function as the proposed, new use.

Furthermore, it should be noted that this is a new proposal and that it has been reviewed independently of each previously reviewed proposal for these properties. Those are no longer valid, nor are any of the previous conceptual reviews or approvals which were based on submittals which were all withdrawn in December 2013.

The Victorian structure at 1036-38 Esplanade has very few proposed changes. The building as a whole, as well as its historic detailing, will remain intact and unchanged; the installation of rooftop mechanical vents and connections/openings to 1040 Esplanade through the N. Rampart elevation constitute the only significant changes.

The adaptive reuse of a former gas station in the French Quarter provides particular challenges, because such structure may no longer be used as a gas station as dictated by the usage limitations within the CZO. The rehabilitation of such structures, as well as defunct automobile repair shops, for restaurant and commercial use is increasingly popular throughout the country due to recognition of their historic and architectural significance, and the rehabilitations typically employ designs similar to the one proposed for 1040 Esplanade/1324 N. Rampart. The utilization of contemporary, operable, glazed door systems, which act essentially as operable curtain wall systems, allows for a design that capitalizes on existing, large openings, which offers natural light and covered seating. While this aspect of the design is appropriate in concept, the owner/applicant must be amenable to instituting a legal covenant to ensure that the space beneath the canopy proposed for enclosure shall remain within VCC jurisdiction. The conceptual design also includes the use of a portion of the canopy roof-space for outdoor seating.

As submitted, staff finds the conceptual proposal to be generally appropriate, as the alterations and plans affect existing built spaces without including demolition, additions, or new structures being proposed. The property is located on the N. Rampart commercial corridor and is zoned for commercial use but also abuts residentially zoned properties. In future reviews, the VCC will consider the details of the proposed

changes and how those changes may be capitalized upon or revised to best suit the *tout ensemble*. The Commission must thoughtfully address the necessary resubdivision; the VCC's history concerning the review of previous proposals including resubdivision has mixed results. In considering previous resubdivision proposals before the City Planning Commission, the VCC has recommended both approval and denial depending upon the merits of each and the effect on historically significant properties.

Although staff does have an initial punch-list of revisions for the proposal and concerns regarding the use of the canopy as a rooftop deck, the conceptual design as submitted is largely respectful to the existing buildings, space, and history of commercial use. Consequently, staff and Architecture Committee recommend **conceptual approval** stressing that conceptual review and approval indicates that the project in its preliminary stages possesses "a germ of an idea" worthy of further exploration and development although revisions are necessary. Furthermore, conceptual approval does not guarantee final approval. Developed and revised drawings must be submitted for further review by the Committee and should include the following:

- elevations and plans of the existing conditions,
- an updated, official survey,
- re-subdivision application documents,
- total capacity, as well as capacity broken down by room/space,
- table arrangements for all spaces, particularly for the rooftop and patio areas,
- all proposed signage,
- deletion of the two (2) vertical board, picket fences, which are not permitted by the VCC guidelines, with retention and repair of the existing seven board fence and alternative fence options to separate the patio space,
- alternative fence options for the N. Rampart property line with an increased height, landscaping, or revised design in order to discuss appropriateness,
- all outdoor lighting,
- details on the proposed mechanical vents in order to accurately assess the impact on the roofscape and neighboring properties, and
- details on the proposed rooftop solar thermal collectors, which may not be approvable based on the roof slope and visibility from neighboring buildings.

#### **VIEUX CARRÉ COMMISSION ACTION:**

09/03/14

Ms. Ripple presented the staff report in reference to both properties. Mr. Meenan spoke briefly noting his pride in the project and appreciation in working with the Architecture Committee.

Afterward, the following speakers addressed the Commission offering statements that included general observations as well as both negative criticism and positive recommendations, and requests that consideration of the project be deferred: Susan Klein, 1020 St Louis; Walter Gallas, LA Landmarks Society; CoCo Garrett, French Quarter Citizens; Meg Lousteau, VCPORA; Rene Fransen, 1026 Esplanade; Michael Martin, 2458 Gen Collins; Gregory Pierce, 1017 Esplanade; Albin Guillot, 1130 Dauphine; Susan Guillot, 1130 Dauphine; Chuck Garber, 1032 Esplanade; Anthony Johnson; Bryan Drude, French Quarter Advocates; Robert Ripley, 1041 Esplanade; Sandra Stokes, Advocacy Chair - LA Landmarks Society; Patricia Meadowcroft, 1308 Chartres; and Robert Freilich, 1240 Lesepps.

The Chair then turned to commissioners for additional questions or comments. Mr. Blanda asked about the type of restaurant proposed and whether the project would involve tax credits. Mr. Meenan replied that it would be a standard restaurant (per definition in the City's zoning code) and that he was working with the State Historic Preservation Office in reference to qualifying his project for tax credits.

Mr. Lyons noted that critical comments about the incomplete nature of the early plans before the VCC. He explained that the normal way for such projects is that they begin with schematic development of concepts and evolve with added details and specific changes through to a final design. He noted that these are carefully reviewed by a professional staff and architects on the Commission and that the project, in its conceptual form without fully developed detail, is as it should be for the current stage of review.

Mr. Taylor then moved to grant **approval** of the conceptual design consistent with the staff analysis and recommendation of 09/03/14 and Architecture Committee action of 08/26/14. Mr. Lyons seconded the motion, which passed with Mesdames Denechaud and Stokes and Messrs. Lyons, Musso and Taylor in favor. Messrs. Blanda and Skinner voted in opposition.

#### **DESCRIPTION OF APPLICATION:**

09/23/14

Continued review of proposed designs to renovate structures, in conjunction with a **change of use** from *vacant* to *restaurant*, per online application & materials received 08/12/14 & 09/16/14.

This application also includes 1040 Esplanade/1324 N. Rampart.

**STAFF ANALYSIS:**

09/23/14

The revised plans include the following requested materials:

- elevations and plans of the existing conditions,
- an updated, official survey,
- total capacity, as well as capacity broken down by room/space,
- all proposed signage,
- deletion of the two (2) vertical board, picket fences, which are not permitted by the VCC guidelines, with retention and repair of the existing seven board fence and alternative fence options to separate the patio spaces,
- alternative fence options for the N. Rampart property line with an increased height, landscaping, or revised design in order to discuss appropriateness,
- all outdoor lighting, and
- details on the proposed mechanical vents in order to accurately assess the impact on the roofscape and neighboring properties.

The following were not submitted:

- re-subdivision application documents
  - The owner and applicant have indicated that they are in conversation with the Zoning Department regarding re-subdivision requirements. The VCC has recommended both approval and denial to the City Planning Commission for re-subdivisions depending upon the merits of each and the effect on historically significant properties. For instance, the VCC recommended denial of the joining of 732 and 728 N. Rampart but had recommended approval of the re-subdivision of 400 & 410 Charters and 535 Conti. These recommendations were made based on the significance rating as well as appropriateness. In considering that the buildings at 1036-38 & 1040 Esplanade will retain their distinctive/separate design identities and will not be homogenized, as well as their respective yellow and brown architectural ratings, the proposed re-subdivision does not seem altogether inappropriate.
- table arrangements for all spaces
  - Although specific table arrangements were not provided, the general layout for seating and dining is provided within the occupant load plans, which specify fixed seating and less concentrated areas. The patio area is not regulated by the State Fire Marshall; consequently occupant loads are not fixed.
- details on the proposed rooftop solar thermal collectors
  - At the recommendation from VCC staff, the owner and applicant have decided to propose installation of the solar thermal collectors on the flat roof of the 1310 N. Rampart building. That property is not a part of the current application and, as such, the proposal will require an additional application to be reviewed accordingly.

**Occupant Load**

The architect of record has indicated the proposed occupant load is 172 persons, which includes all staff. Architectural sheet A1.1 breaks down the occupant load by space as follows:

- 1036-38 Esplanade, 1<sup>st</sup> floor dining space - three (3) fixed seating areas, one less concentrated area, totaling 44 occupants
- 1036-38 Esplanade, 2<sup>nd</sup> floor dining space - two (2) fixed seating areas, one less concentrated area, totaling 42 occupants
- 1040 Esplanade, 1<sup>st</sup> floor dining space (under canopy) - less concentrated space, totaling 34 occupants
- 1040 Esplanade, canopy roof deck – totaling 39 occupants

The calculation of occupant load takes into consideration the 3' path of egress required by the State Fire Marshall. The areas qualified as "less concentrated" may have a lower occupancy number when tables are in place with a set number of seating; consequently, the occupant loads provided are indicated to be the potential *maximum* allowed.

**Proposed Signage**

The size of the one (1) proposed sign is provided on sheet A1.6. The signage is proposed for installation in the same location as the historic Esso service station signage and adopts the historic circular shape of the Esso sign. Staff's main notes that the proposed size, at 14.75 square feet (double-sided) far exceeds the maximum allowed sign area of 8 square feet. Despite the size of the previous service station signage, the new sign must conform to current signage regulations as outlined in zoning. The proposed signage must be reduced.

**Fences**

The revised design includes the retention and repair of the existing seven board fence adjacent to the rear, exterior stair at 1036-38 Esplanade. An extension of this type of fence is used to close in the area designated for trash receptacles and HVAC equipment. The new fence scheme for separating the

courtyards and delineating the property line include movable, brick planters and portions of metal gates. This concept is suitable for the separation of the courtyards but presents concerns for the property line fence. The planters would be placed directly adjacent to the short, brick wall to further extend the height of the proposed barrier to approximately 5.5'. Staff agrees that a certain level of visual permeability is necessary to preserve the historic perception of the former gas station but believes the temporary nature of movable planters calls into question this method of fencing and real separation of private and public spaces. Furthermore, the proposed decorative metal gateway arch is inappropriate for the property. Staff further questions the necessity and appropriateness of multiple gates and the arrangement of "interspersed metal fencing."

#### Outdoor Lighting

The majority of the proposed lighting is shown to be florescent, which may be "period appropriate" for this twentieth century gas station but does not conform to the current VCC lighting guidelines that encourage the use of LED lamps. The placement of the proposed lighting should also follow VCC guidelines, which state that lights should be placed over the openings in order to highlight those architectural elements, versus lighting blank walls. The fixture in the 1036-38 Esplanade alleyway (near the front of the property) should be removed from the scheme based on the guidelines requirement that alleyway lighting be at least 10' from the front of the building. The lighting for the canopy in particular should be very thoughtful and as indirect as possible. The proposed, exposed bulbs for the canopy parapet wall are based on existing physical evidence, as well as some photographic documentation, of previous existence. However, fixtures concealed beneath the canopy overhang between the fly rafters would place all lighting out of view and would appropriately contain the light spill. Furthermore, the rooftop deck would most appropriately be lit using indirect light, perhaps at deck-level or at a mid-point on the inside wall of the parapet, focusing the lighting downward.

Provided the locations of light fixtures are approvable, the specifics of the fixture type, lamping and light quality will no doubt merit further reviewed by the Architectural Committee when the project design is closer to final detailing.

#### Rooftop Mechanical Equipment

The revised design includes a more accurate rendering of the exhaust vents and the cooler condensers. Staff concedes that this property does not provide any ideal options for placement of rooftop mechanical equipment, due to the broad visibility provided by the corner location and the greater view-scape allowed by the width of N. Rampart. Staff questions whether the cooler condensers could be better placed behind each of the two (2) existing chimneys in order to better conceal them from neighboring properties. The exhaust vents are particularly visible. However, there do not seem to be better alternative locations. The installation of the vents on the river-side slope is unsuitable due to the effects on neighboring properties. Yet the other three sides of the roof face more public views. Finally, efforts should be made to explore all available technology (i.e. scrubbers) that will diminish all smells released through the ventilation system.

#### STAFF RECOMMENDATION:

09/23/14

Staff recommends **approval** for the evolving design development, with the recommendation that further revisions be submitted for additional Architectural Committee review, including the following:

- Revised signage that conforms to current Zoning & VCC regulations
- Revised property line fencing with removal of the decorative, metal archway,
- Revised lighting that follows more closely the current VCC lighting guidelines,
- Revised placement for the cooler condensers behind the existing chimneys, *if possible*, and
- Further consideration of methodology and placement of kitchen exhaust systems.

#### ARCHITECTURAL COMMITTEE ACTION:

09/23/14

Ms. Ripple gave the staff presentation with Messrs. Martin and Meenan representing the application. Mr. Martin noted that an application was submitted to the State Fire Marshall for pre-approval of the proposed occupancy. The Committee's discussion centered on the proposed use of the two courtyards (on the N. Rampart side and the Esplanade side or entrance side of the service station); Committee members noted concerns for the holding capacity of each of those spaces.

Residents and neighboring community members who spoke either in favor or against the proposal included: Meg Lousteau (VCPORA), Anthony Johnson, Robert Vanlangendonk, Carol Allen (VCPORA), Katherine Bishop, Dan Altenloh, Sonny Shields, Gniady (French Quarter Citizens), Brian Drude (French Quarter Advocates), Chuck Garber, and Kelly McGloughlin.

Mr. Brady reiterated the necessity of accurately defining the courtyard spaces regarding use and occupancy in the anticipated resubmission. The Committee elected to grant **approval** of the project within the design development phase, with the revised drawings clarifying the use and occupancy of the courtyards.

**DESCRIPTION OF APPLICATION:**

10/01/14

Continued review of proposed designs to renovate structures, in conjunction with a **change of use** from *vacant to restaurant*, per online application & materials received 08/12/14 & 09/16/14.

This application also includes 1040 Esplanade/1324 N. Rampart.

**STAFF ANALYSIS & RECOMMENDATION:**

10/01/14

The revised plans include the following requested materials:

- elevations and plans of the existing conditions,
- an updated, official survey,
- total capacity, as well as capacity broken down by room/space,
- all proposed signage,
- deletion of the two (2) vertical board, picket fences, with retention and repair of the existing seven board fence and alternative fence options to separate the patio spaces,
- alternative fence options for the N. Rampart property line
- all outdoor lighting, and
- details on the proposed mechanical vents in order to accurately assess the impact on the roofscape and neighboring properties.

The following were not submitted:

- re-subdivision application documents
  - The owner and applicant have indicated that they are in conversation with the City Planning Commission regarding re-subdivision requirements. The VCC has recommended both approval and denial to the City Planning Commission for re-subdivisions depending upon the merits of each and the effect on historically significant properties. For instance, the VCC recommended denial of the joining of 732 and 728 N. Rampart but recommended approval of the re-subdivision of 400 & 410 Chartres and 535 Conti. These recommendations were made based on the significance rating as well as appropriateness. In considering that the buildings at 1036-38 & 1040 Esplanade will retain their distinctive/separate design identities and will not be homogenized, as well as their respective yellow and brown architectural ratings, the proposed re-subdivision does not seem altogether inappropriate. Furthermore, the Zoning Administrator for the City of New Orleans has clarified that the issue of resubdivision is not broached until an occupational license is applied for, which does not typically occur until the work is complete so that building inspections may confirm conformity with the Building and Fire Codes.
- table arrangements for all spaces
  - Although specific table arrangements were not provided, the general layout for seating and dining is provided within the occupant load plans, which specify fixed seating and less concentrated areas. The patio area is not regulated by the State Fire Marshall; consequently occupant loads are not fixed. Since the Architecture Committee meeting at which this was first stated, the applicant and architect of record have indicated that revised drawings will be submitted that further define the proposed use of this space and that both open spaces are intended for waiting purposes rather than dining.
- details on the proposed rooftop solar thermal collectors
  - At the recommendation from VCC staff, the owner and applicant have decided to propose installation of the solar thermal collectors on the flat roof of the 1310 N. Rampart building. That property is not a part of the current application and, as such, the proposal will require an additional application to be reviewed accordingly.

**Occupant Load**

The architect of record has indicated the proposed occupant load is 172 persons, which includes all staff. If or when this number is approved by the State Fire Marshall, the applicant will be legally bound to the occupant load, and the business may be closed by the Fire Marshall if that number is not respected.

Architectural sheet A1.1 breaks down the occupant load by space as follows:

- 1036-38 Esplanade, 1<sup>st</sup> floor dining space - three (3) fixed seating areas, one less concentrated area, totaling 44 occupants
- 1036-38 Esplanade, 2<sup>nd</sup> floor dining space - two (2) fixed seating areas, one less concentrated area, totaling 42 occupants
- 1040 Esplanade, 1<sup>st</sup> floor dining space (under canopy) - less concentrated space, totaling 34 occupants
- 1040 Esplanade, canopy roof deck – totaling 39 occupants

Based on the submitted drawings, the calculation of occupant load takes into consideration the 3' path of egress required by the State Fire Marshall. The areas qualified as "less concentrated" may have a lower occupancy number when tables are in place with a set number of seating; consequently, the occupant loads provided are indicated to be the potential *maximum* allowed.

### Proposed Signage

The size of the one (1) proposed sign is provided on sheet A1.6. The signage is proposed for installation in the same location as the historic Esso service station signage and adopts the historic circular shape of the Esso sign. Staff notes that the proposed size, at 14.75 square feet (double-sided) far exceeds the maximum allowed sign area of 8 square feet. Despite the size of the previous service station signage, the new sign must conform to current signage regulations as outlined in zoning. Therefore, the proposed signage must be reduced. The applicant has expressed willingness to conform to the regulations.

### Fences

The revised design includes the retention and repair of the existing seven board fence adjacent to the rear, exterior stair at 1036-38 Esplanade. An extension of this type of fence is used to close in the area designated for trash receptacles and HVAC equipment. The new fence scheme for separating the courtyards and delineating the property line include movable, brick planters and portions of metal gates. This concept is suitable for the separation of the courtyards but presents concerns for the property line fence. The planters would be placed directly adjacent to the short, brick wall to further extend the height of the proposed barrier to approximately 5.5'. Staff agrees that a certain level of visual permeability is necessary to preserve the historic perception of the former gas station but believes the temporary nature of movable planters calls into question this method of fencing. Furthermore, the proposed decorative metal gateway arch is inappropriate for the property. Staff further questions the necessity and appropriateness of multiple gates and the interspersed metal fencing. The design of the property line wall is in response to direction given by the State Historic Preservation Office.

Based on research regarding fences, walls, or gates utilized in adaptive reuse of historic gas stations and types of walls existing with historic gas stations, staff confirms the recommendations provided by the SHPO that short walls, referred to as knee walls, are historically accurate and most appropriate in this situation. Further design development and discussion with the SHPO may be needed.

### Outdoor Lighting

The majority of the proposed lighting is shown to be florescent, which may be "period appropriate" for this twentieth century gas station but does not conform to the current VCC lighting guidelines that encourage the use of LED lamps. The placement of the proposed lighting should also follow VCC guidelines, which state that lights should be placed over the openings in order to highlight those architectural elements, versus lighting blank walls. The fixture in the 1036-38 Esplanade alleyway near the front of the property should be removed from the scheme based on the guidelines requirement that alleyway lighting be at least 10' from the front of the building. The lighting for the canopy in particular, as the focal point of the corner, should be very thoughtful and as indirect as possible. The proposed, exposed bulbs for the canopy parapet wall are based on existing physical evidence, as well as some photographic documentation, of previous existence. However, fixtures concealed beneath the canopy overhang between the fly rafters would place all lighting out of view and would appropriately contain the light spill. Furthermore, the rooftop deck would most appropriately be lit using indirect light, perhaps at deck-level or at a mid-point on the inside wall of the parapet, focusing the lighting downward.

Provided the locations of light fixtures are approvable, the specifics of the fixture type, lamping and light quality may be further reviewed by the Architectural Committee when the project design is closer to final detailing.

### Rooftop Mechanical Equipment

The revised design includes a more accurate rendering of the exhaust vents and the cooler condensers. Staff concedes that this property does not provide any ideal options for placement of rooftop mechanical equipment, due to the broad visibility provided by the corner location and the greater view-scape allowed by the width of N. Rampart. Staff questions whether the cooler condensers could be better placed behind each of the two (2) existing chimneys in order to better conceal them from neighboring properties. The architect has since agreed to revise the design to reflect this recommendation.

The exhaust vents are particularly visible. However, there do not seem to be better alternative locations. The installation of the vents on the river-side slope is unsuitable due to the effects on neighboring properties. Yet the other three sides of the roof face more public views. Consequently, efforts should be made to explore all available technology (i.e. scrubbers) that will diminish all smells released through the ventilation system and to paint the vents with a matte paint.

Since the Architecture Committee, staff consulted with the Assistant Chief Mechanical Inspector who indicated that level platforms and railings, which allow for safe inspection and service of the rooftop mechanical equipment, are necessary to comply with the Building Code. Revised drawings must include these additional rooftop elements.

Finally, staff would like to close the report with a brief discussion regarding appropriateness and the *tout ensemble* of the French Quarter. The lauded concept of the *tout ensemble* was utilized by Jacob Morrison\* who, in arguing for the City of New Orleans in the case City of New Orleans vs. Levy in 1953, stated,



“The purpose of the ordinance is not only to preserve the old buildings themselves, but to preserve the antiquity of the whole French and Spanish quarter, the *tout ensemble*, so to speak, by defending this relic against iconoclasm or vandalism.” As the French Quarter has evolved in the past 200+ years, the *tout ensemble* has come to include a multitude of elements, and the assessment of appropriateness within the context of the *tout ensemble* is a challenging and subjective task. Over the years, changes have been approved or occurred naturally in order to keep the Vieux Carré a living, breathing neighborhood, including the allowance of a variety of businesses that are in and of itself modern inventions as well as the use of automobiles within the neighborhood. It could be argued that automobiles challenge the integrity of the *tout ensemble*, yet the concept of closing the streets could threaten the livability and functionality of the neighborhood.

Morrison\* explained further that “Preventing or prohibiting eyesores in such a locality is within the police power and within the scope of this municipal ordinance. The preservation of the Vieux Carré as it was originally is a benefit to the inhabitants of New Orleans generally, not only for the sentimental value of this show place but for its commercial value as well, because it attracts tourists and conventions to the city, and is in fact a justification for the slogan, America's most interesting city.” This project does return to commerce a building that has been vacant for years, not being used to its greatest potential, thereby creating a weak spot in the Vieux Carré. Additionally, this corner has historically, since 1885, had first a large, institutional building, which notably occupied both lots at 1036 and 1040 Esplanade, and then commercial entities established in the early twentieth century. In short, this corner has been held by entities inconsistent with the neighboring residential district, and the relationship between the corner and the residential district should be maintained. The Commission is responsible for the difficult task of ensuring the appropriateness of any changes. While the recommendation to the Zoning Department regarding the proposed **change in use** is not officially made until the proposal is finally approved, the Commission may consider whether the project conforms to the requirements laid out by Section 8.1 at any time. Consequently while the requirements presented in Section 8.1 are the very questions that staff utilizes indirectly during every project review, the following blatantly spells out that analysis:

- The historic character of the Vieux Carré shall not be injuriously affected: The proposal presents questions regarding the addition of noise and traffic to the corner. The Vieux Carré already struggles with parking and traffic issues; this is clearly due to the fact that this historic district was not planned or developed with cars in mind. Modern automobiles are not complimentary to the historic street grid or the historic structures within. Further complicating the issue is that the developer has no legal requirement to provide off-street parking. The Commission must grapple with the issue presented by the abundance of cars already within the historic district daily in order to access private dwellings and businesses and the addition of another business and patrons.
- Signs which are garish or otherwise out of keeping with the character of the Vieux Carré shall not be permitted: The VCC will ensure that any signage installed for the benefit of the proposed business will conform to current signage requirements and guidelines, and the applicant and architect have indicated willingness to do so.
- Building designs shall be in harmony with the traditional architectural character of the Vieux Carré: Considering the two buildings in question are twentieth century structures rated either yellow or brown on the VCC's ratings map, they already differ from the traditional character of the majority nineteenth century buildings within the Quarter. No matter, the buildings are a part of the historic district and any changes to them must respect the district, as well as the buildings proposed for changes. As clearly noted during the conceptual review of the project, the proposal does not include many changes to the structures; the significant changes include the rehabilitation of the gas station canopy into a covered dining area and a roof top deck, the creation of a new door opening on the North Rampart elevation of 1036 Esplanade, the installation of mechanical equipment, and the construction of property line walls, all of which have been found conceptually approvable by the Commission. The use of the canopy as a rooftop deck was received as being similar to balcony space in theory. Staff strongly encourages the Commission to comment on the proposed changes. Furthermore and separately from the VCC review, the State Historic Preservation Office has preliminarily judged the proposal to be in keeping with the Secretary of the Interior's Standards for rehabilitation.
- The value of the Vieux Carré as a place of unique interest and character shall not be impaired: the proposed standard restaurant use is not atypical to the historic district. The proposed outdoor space is also not atypical to the historic district, when considering the multitude of business and restaurants that use courtyard space for accommodating patrons. The proposed intensity of use is certainly called into question, granted the Commission may not deny the proposal solely on the basis of use. The appropriate method to address this issue is through modifications to the proposal. The Commission must consider whether the size of the proposed, joined property is not in keeping with the character of the district, which does notably include restaurants and business of similar size.

Considering the number of revisions requested by the staff and Architectural Committee and contrary to the Architectural Committee's recommendation for **approval**, staff recommends continued **conceptual approval** of the proposal within the current stage of design development, with the proposal to return to the Architecture Committee for further review of plans with the requested revisions regarding signage, outdoor lighting, fences, the use of outdoor space, and rooftop mechanical equipment.

\*The explanation was used by Morrison who was actually quoting Chief Justice Charles O'Niell in his opinion in *City of New Orleans v. Pergament*, 198 La. 852, 5 So.2d 129 (La. 1941).

**VIEUX CARRÉ COMMISSION ACTION:**

10/01/14

Ms. Ripple presented the staff report with Mr. Martin in attendance on behalf of the owner. Mr. Blanda asked why the Commission should be considering the proposal before the Architecture Committee had completed its entire review of all design aspects and had formulated a completed recommendation. The Chairman explained that the Architecture Committee had felt, considering the significant interest in the project, that the VCC should be given an update on the positive development of the plans regardless of not yet having reached a complete recommendation for all aspects of design. Messrs. Skinner and Henriquez both voiced a preference to forego further reviews by the Commission until the Architecture Committee's review is complete for design development and that the Commission would review the proposal then.

The Chairman opened the discussion for public comment hearing from the following speakers who offered observations of confusion over the hearing process and possible deferral, as well as negative criticism and positive recommendations: Robert Vanlangendonck; Sonny Shields; Robert Ripley, 1041 Esplanade; Anthony Johnson; Carol Gniady, French Quarter Citizens; Patricia Meadowcroft, 1308 Chartres; and Meg Lousteau, VCPORA.

Following the discussion, Mr. Taylor moved, Mr. Skinner seconded, to **defer** taking any action on the project until further plans and materials have been submitted and the Architecture Committee has completed all aspects of the design development process and has made a full recommendation to the Commission. The motion passed unanimously.

**DESCRIPTION OF APPLICATION:**

10/14/14

Proposal to renovate structures, in conjunction with a **change of use** from *vacant* to *restaurant*, per online application & materials received 08/12/14 & 10/07/14.

This application also includes 1040 Esplanade/1324 N. Rampart.

**STAFF ANALYSIS:**

10/14/14

The materials received 10/07/14 address certain elements of design outlined below:

**Canopy & handrail** - The proposed handrail system for the canopy is proposed as a painted pipe railing system with integrated underside lighting. Considering staff already has concern that the use of the canopy top as an occupy-able space "change(s) the defining characteristic of the building and its site and environment" (taken from the Secretary of the Interior's Standards for rehabilitation), the railing should be visually diminished, using structural glass. The Committee should be very thoughtful when considering the proposed use for the canopy, considering it is the defining feature of that structure.

**Lighting** - Most of the lighting is approvable and policy guided, using LED lamps with maximum 12 watts. Recessed light fixtures are proposed for under the main canopy and the Esplanade and Barracks balcony soffits, and wall mounted fixtures are proposed for the alley, exterior of the main canopy, and stairs. The canopy top is proposed to be lit by down-lighting from the handrail. Aside from the signage lighting, the only concern regarding lighting is the proposed row of exposed bulbs around the canopy parapet. The fixture is period appropriate, used during the 1920s and 30s before neon lighting became mainstream, although it was not actually installed during that time as evident in early photographs. Considering the brown rating of the gas station structure and the fact that the work is a rehabilitation versus a restoration, a period appropriate fixture may be approvable, although it is not consistent with the current VCC lighting guidelines. Specifications must be provided for each of the fixtures prior to final approval for the lighting.

**Mechanical equipment** - The cooler condensers have been relocated behind each of the existing chimneys, as suggested during the 09/23/14 Committee meeting, and safety railings have been included in the design, per the requirements of the 2012 Building Code. As designed, the railings engage the historic chimneys, which in this instance were not designed or built as structural elements; considering the vulnerability of the historic materials, the railings must be redesigned so as not to engage the chimneys. Furthermore, staff contends that the exhaust stacks are better placed on the river-side roof slope as well, in order to address visibility issues, but is concerned about the effect on neighboring properties.

In response to community concerns regarding noise from the mechanical equipment, as well as from the interior restaurant, staff requests information/clarification regarding efforts being made in the way of acoustical or sound absorption panels to diminish the effect of noise.

**Signage** - Two signs are included in the revised plans: the circular sidewalk sign at the Esplanade/Rampart corner and a painted sign in the transom over the corner entry of the 1036 building. Per zoning regulations,

the development may have two signs, because it has two street frontages; however, each sign may be no greater than eight (8) square feet. The painted, transom sign is within the size limitations, but the circular sign is not. The plans illustrate that the actual lettering of the sign is less than eight (8) square feet, but the physical sign is over the size limitation. Bearing in mind the prominent position of this sign and the current signage regulations, a sign almost 14 square feet in size is not appropriate or necessary. The lighting for the circular signage is located at grade level, providing an up-lighting of the sign; the light fixtures would be better located on the signage pole or bracket.

Fencing and other exterior site elements - The revised design for the property line knee wall eliminates the inappropriate metal archway and multiple, operable gates; metal picket fence portions are still interspersed within the masonry. This type of construction is seemingly not in keeping with historic precedents, which are defined by a consistency in material and short height; a wall more similar to that in the precedent photo, Minute Service Station No. 1 in Washington, D.C., which is characterized by a stucco finish, recessed panels and/or truncated pilasters.

Also illustrated in the revised plans is the location of benches, low tables, and planters all placed within the N. Rampart side courtyard, as an effort to further define the intended use of that space as a waiting area versus dining. The small courtyard and entry space on the Esplanade side are now delineated using planters on casters.

#### STAFF RECOMMENDATION:

10/14/14

Again, staff recommends that the Committee **conceptually approve** the design which now includes construction details, although the following issues must be addressed in further revised drawings and review/acceptance by the Committee:

- Revised design for the canopy-top handrail system using structural glass or similar materials;
- Revised security rail design for the mechanical equipment that does not engage the chimneys;
- Information on sound remediation methods;
- Revised circular signage that conforms to size regulations;
- Revised signage lighting that more closely conforms to VCC guidelines; and
- Revised knee wall design that eliminates the interspersed metal, picket fencing.

#### ARCHITECTURAL COMMITTEE ACTION:

10/14/14

Ms. Ripple gave the staff presentation with Messrs. Meenan & Martin representing the application. Mr. Musso noted a previous request for occupant load/carrying load for the outdoor, open spaces, and Mr. Martin clarified that the spaces could accommodate 140 people using the more concentrated space designation. Mr. Brady questioned the square footage of the front courtyard space and requested hard numbers in the plans for the square footage of both courtyards. Mr. Musso further concurred with concerns noted by staff including the signage, railing system, lighting, and occupancy load. He directed the applicant to return to the Committee only when a letter from the State Fire Marshall is received stating preliminary approval of the occupancy load. Mr. Brady also requested the possible, maximum attendance numbers and the potential frequency of that number (carrying capacity of the site). Mr. Meenan touched on the contention with the proposed planters on casters noting that the VCC and the State Historic Preservation Office are asking for different designs. Following additional conversation centering on the canopy railing system and the ADA ramp, the Committee opened the discussion to the members of the community in attendance; the following persons spoke: Mr. Sonny Shields, Mr. Anthony Johnson, Ms. Meg Lousteau, and Mr. Brian Drude.

The Committee elected to **conceptually approve** the proposal within the design development phase with a revised submittal to reflect:

- Revised design for the canopy-top handrail system using structural glass or similar materials;
- Revised security rail design for the mechanical equipment that does not engage the chimneys;
- Information on sound remediation methods;
- Revised circular signage that conforms to size regulations;
- Revised signage lighting that more closely conforms to VCC guidelines;
- Revised knee wall design that eliminates the interspersed metal, picket fencing; and
- Square footage numbers for the outdoor, courtyard spaces.

#### DESCRIPTION OF APPLICATION:

11/25/14

Proposal to renovate structures, in conjunction with a **change of use** from *vacant* to *restaurant*, per online application & materials received 08/12/14 & 11/18/14.

This application also includes 1040 Esplanade/1324 N. Rampart.

**STAFF ANALYSIS & RECOMMENDATION:** 11/25/14

[See report for 12/09/14 meeting]

**ARCHITECTURAL COMMITTEE ACTION:** 11/25/14

Due a technical error that prevented the report from being presented at the meeting, this proposal was deferred without hearing until the next regularly scheduled meeting of the Architectural Committee.

**DESCRIPTION OF APPLICATION:** 12/09/14

Proposal to renovate structures, in conjunction with a **change of use** from *vacant* to *restaurant*, per online application & materials received 08/12/14 & 11/18/14.

This application also includes 1040 Esplanade/1324 N. Rampart.

**STAFF ANALYSIS & RECOMMENDATION:** 12/09/14

In response to the Committee's comments on October 14, 2014, when **conceptual approval** within the design development phase was granted, the applicant has submitted revised drawings, a letter from the State Fire Marshall granting preliminary approval of the proposed occupancy load, and the resubdivision application submitted to the City Planning Commission. The revised drawings submitted 11/18/14 reflect the following requested changes:

- Revised canopy roof handrail design that uses a structural glass handrail system,
- A revised equipment access railing system that does not engage the historic chimneys,
- Information on the proposed air conditioning equipment documenting the noise decibels to be approximately 66 and 69 decibels,
- Signage, limited to 8 square feet per sign, that complies with the CZO size requirements
- Signage down-lighting that complies with the VCC lighting guidelines,
- A revised design for the proposed knee wall along N. Rampart that eliminates the interspersed metal fencing and has a stucco finish, and
- Dimensions and square footage for the outdoor site capacity area, totaling 1,075 square feet taking into account for the standard 3' egress path.

The design remains wholly intact from the previous review with exception to those revisions just noted and a proposed retention of the residential use of the 1036 Esplanade second floor space. Due to the latter change, the occupancy for the restaurant space as noted on sheet A1.2 within the "Occupancy Load Chart" totals at 183 people and 10 people for the residence. The preliminary approval of the occupancy numbers from the State Fire Marshall was for a previous rendition of the proposal that incorporated the 1036 Esplanade second floor level into the restaurant use; also seemingly due to feedback from the State Fire Marshall, the dining areas on the ground floor space within 1036 Esplanade and beneath the canopy are now classified as more concentrated assembly areas. Further, the outdoor site capacity area totaling 1,075 square feet may accommodate up to 153 people when using the "more concentrated assembly" provisions of seven square feet per person.

Due to the retention of residential use on the second story of 1036 Esplanade, the second story, N. Rampart elevation connection to the canopy-top deck is unnecessary and should be eliminated from the design. The residence may still access the canopy deck through each of the two (2) doors on the second story, Barracks side balcony. Previously, the door was used to connect interior restaurant space to the deck and to provide a means of egress for the space; however, the ground floor restaurant space still has access to the canopy-deck by means of the outdoor stair case, and only one means of egress may be allowed for the proposed 49 occupants for the rooftop deck. The elimination of the door and door canopy is more respectful to the historic nature of the structure and is welcomed. Further, the Esplanade elevation entrance nearest the Barracks property line should be used only as a residential entrance; the interior door opening into the proposed restaurant space may either be closed or fixed in place.

Additionally, the applicant has provided the subdivision letter of request submitted to the City Planning Commission, as well as the property survey, receipt of application fee, and letter from the CPC confirming receipt and potential hearing date of January 13. Typically in these situations, the proposal may continue through the phases of review and reach approval but VCC staff does not issue permits for the work until the CPC finalizes the resubdivision.

A few discrepancies exist in the drawings, specifically the lack of a guard rail surrounding the exhaust vent in elevations on sheet A2.3, the off-center location of the new, second story "door canopy" on the N. Rampart side of 1036 in elevation also on sheet A2.3, the inconsistency of the second floor, Barracks elevation openings of 1036, and the location of proposed ADA ramps – sheet A1.2 locates two, one each on the N. Rampart and Barracks elevations of 1036, but sheet A3.1 locates the ramp on the Esplanade

elevation. The architect of record has clarified that the inclusion of the ramp on the public right of way on the Esplanade elevation is erroneous and will be removed from the plans. The elevation change between the public right of way and the two (2) ADA accessible doors is accommodated on the interior of the site.

Staff recommends **approval** of the proposal with the application to return to the Committee should it be deemed necessary, with the applicant to provide revised drawings addressing the discrepancies noted above and the elimination of the second story, N. Rampart side door on 1036 (accessing the canopy deck).

The VCC also requests the following items for a change of use hearing with the full Commission: description of operations, hours of operation, sample menu, and a finalized signage design.

#### **ARCHITECTURAL COMMITTEE ACTION:**

12/09/14

DRAFT

Ms. Ripple gave the staff presentation with Mr. Martin present as the applicant. Mr. Taylor opened the floor to public comments. Several community members stepped forward to speak including the following: Susan Guillot (French Quarter Citizens), Carol Gniady (French Quarter Citizens), Patricia Meadowcroft (VCPORA), Brian Drude (French Quarter Advocates), Lloyd "Sonny" Shields (attorney representing neighboring property owners). Comments by the aforementioned members of the public included: inquiries about the genesis of the knee wall design and the arrangement of movable planters; concerns that because the planters are not permanent, the planter barrier can be opened up or eliminated; concerns regarding the occupancy figures for the proposed facility and the applicants' lack of clarity in reference to occupants for all areas, as shown within the submitted documents. It was specifically noted by Mr. Musso and Mr. Taylor that there is not a government entity on the city or state level that rates exterior occupancy, ie. there is no code that provides hard numbers or exact criteria for the occupancy of outdoor space.

Mr. Martin, representing the application, invited owner/developer Sean Meenan to listen and comment via conference call on his cell phone. Following the public comments, Mr. Shields gave a rebuttal and presented further objections to the project per concerns of the neighbors.

Mr. Brady brought up the question to the public and committee as to how the operator would police the occupancy number on the exterior? Mr. Musso suggested that a mutual agreement or covenant for the outdoor space might be one solution for gaining acceptance between the neighbors and property owner. The FQC representatives immediately rejected that idea as a viable possibility. Mr. Hesdorffer reiterated that courtyards are not regulated in the same way that structures are because courtyard space is exterior and/or separated from the actual building or structure; and therefore, the building code does not apply over exterior, unenclosed space. He continued, noting that occupancy numbers have to do with evacuation and safety. Mr. Hesdorffer also clarified the property's proposed use as a standard restaurant, where >50% of the revenue produced is to come from the sale of food. With no further discussion, Mr. Musso moved, Mr. Brady seconded, to **approve** the proposal as submitted and to forward the project to the VCC. The motion passed unanimously.

#### **DESCRIPTION OF APPLICATION:**

01/07/15

Proposal to renovate structures, in conjunction with a **change of use** from *vacant* to *restaurant*, per online application & materials received 08/12/14 & 12/19/14, respectively.

This application also includes 1040 Esplanade/1324 N. Rampart.

#### **STAFF ANALYSIS & RECOMMENDATION:**

01/07/15

The final proposed exterior design for Café Habana as rendered in the permit set of drawings has not changed greatly from the original submission but has accommodated a number of adjustments and alterations in response to staff and Committee concerns.

The exterior of 1036-38 Esplanade remains almost entirely intact with minimal changes including reconstruction of the Barracks stair to match existing, installation of light fixtures, and installation of mechanical and exhaust equipment on the rooftop. The program for the building has been revised to retain the second floor residence. Based on the proposal, only the ground floor of 1036-38 will be restaurant use, and no new openings are needed to connect 1036 to 1040 since the ground floor, Rampart side door is existing. The accessory building on the Barracks side of 1036 will be maintained and refurbished to conceal trash bins and utilities.

The adaptive reuse proposal for the historic gas station includes the installation of a retractable, glass curtain wall system along the Esplanade and Rampart elevations of the canopy and rehabilitation of the existing enclosed structure. Significant to the process of review of changes the gas station is the recognition that the brown rating of the gas station allows a significant level of design flexibility. The glass curtain wall system will enclose a portion of the space between 1036 and 1040 around the existing door on the Rampart side of 1036 to allow for covered access between the two structures. The canopy rooftop is

proposed for use as patio space, accessible by restaurant patrons and the residence by means of the Barracks side, outdoor staircase, and the perimeter is secured by a glass railing system with integrated, indirect down-lighting. While the elimination of restaurant use from the second floor of 1036 Esplanade slightly diminished staff's concern for using the canopy rooftop as 'occupiable' space, the potential for unregulated umbrellas and furniture still creates some unease. Considering the significant visual impact large canvas umbrellas may have on the canopy, which is the defining architectural feature of the historic gas station, perhaps the use of such accessories should be limited or require approval by the VCC.

The proposal for the Café Habana outdoor space is characterized by an abundance of vegetation, new water features, and low benches and tables. The planters are set on casters, thereby mobile, and some border the proposed knee wall along the N. Rampart property line; the planters also help delineate the privately held restaurant space on the Esplanade side of the canopy. The final knee wall design is the result of collaboration between staff and the applicant; the design mirrors knee walls used historically with similarly designed Mission style service/gas stations and maintains the visually unobstructed approach the gas station has had since construction.

Although the VCC does not typically address the issues of occupant load, the French Quarter and neighboring communities have voiced much concern about the number of patrons Café Habana could hold. Based on the submitted occupancy load chart (sheet A1.2), the interior and canopy rooftop areas would legally accommodate 183 people. However, the outdoor space technically does not have a limit; the State Fire Marshal's responsibility in reviewing occupancy loads is to ensure the safe exit of patrons *within* buildings during a time of emergency. Staff's concern for the number of patrons within the outdoor courtyard space stems from the concern that patron noise could impact the sonic environment of the neighboring residential district. Legally, the VCC staff may not require a limit on the outdoor occupancy, but the applicant and owner may impose one upon themselves.

As part of the Section 8.1 Change of Use hearings, the VCC requests a few items: description of operations, hours of operation, example menu, proposed signage, and table arrangements. The request for these items is to help confirm that the proposed use is indeed a legal one. The applicant has described the operations as a Latin themed, standard restaurant and defined the hours of operation as 12 pm to 12 am. The menu includes lunch and dinner entrees ranging from \$10-15, and brunch specialties on Saturdays and Sundays from 9 am to 4:30 pm. The signage plan includes two (2) separate signs: one (1) circular, 8 square feet maximum sign with a blue background and green lettering, illuminated from above and mounted on an 18' pole in the same location as the historic Esso sign at the Rampart and Esplanade corner; and one (1), 759 square inch, gold leaf decal sign on the existing transom window above the 1036 Esplanade, chamfered corner entrance. The requested table arrangements had not been received when this report went to print.

The other, less tangible considerations mandated in Section 8.1 of the Comprehensive Zoning Ordinance are as follows:

- The historic character of the Vieux Carré shall not be injuriously affected: The character of the Vieux Carré, or the *tout ensemble*, is difficult to pinpoint but certainly includes the small scale of the buildings, the 'walkability' or urban landscape, the local businesses, the courtyards and lush outdoor living spaces, and – most intriguing – the layered history. The Vieux Carré has layers of French, Spanish, American, and contemporary development and continues to attract and absorb new businesses of ranging types and origination, and the objective is always to reuse the historic buildings in new and creative ways constantly keeping in mind the question of appropriateness of the changes. Over the course of several months, this project has been refined to reach a level of acceptability and appropriateness deemed sufficient by VCC staff and the Architecture Committee.
- Signs which are garish or otherwise out of keeping with the character of the Vieux Carré shall not be permitted: Each of the proposed signs complies with both VCC and CZO requirements.
- Building designs shall be in harmony with the traditional architectural character of the Vieux Carré: The proposed changes to the buildings are minimal, in the case of 1036, or found appropriate due to the color rating, in the case of 1040. The buildings have not expanded in footprint or height, save for the glass handrails on the canopy rooftop, the proposed changes are contemporary in style, which allows for differentiation between historic and new, and the rehabilitation returns to commerce a corner unoccupied for decades.
- The value of the Vieux Carré as a place of unique interest and character shall not be impaired: The proposed standard restaurant use and use of outdoor space is not atypical to the historic district. Further, the VCC does not have legal standing to reject a proposal based solely on the proposed use; and considering the proposed design and changes are deemed appropriate and sensitive to the existing structures, staff maintains that the value of the Vieux Carré as a place of unique interest and character is not impaired.

The Commission must also make a recommendation to the City Planning Commission for the proposed resubdivision of the 1036-38 & 1040 Esplanade properties. Typically the VCC assesses the change to residential density and open space and bears in mind the color/significance rating of the properties when considering applications for resubdivision. Since the proposal maintains a single residence, the combined

properties have abundant open space, and the buildings are yellow and brown rated, staff does not find this particular resubdivision application problematic.

Consequently, staff recommends **approval** of the proposal, with the Commission to consider placing restrictions on the use of umbrellas on the canopy rooftop, and further suggests a recommendation for acceptance of the resubdivision for the City Planning Commission.

**VIEUX CARRÉ COMMISSION ACTION:**

01/07/15 DRAFT

Ms. Ripple gave the staff presentation with Messrs. Martin and Meenan representing the application. Mr. Blanda requested information on the proposed table arrangements and occupant load, and Chairman Musso explained the process and responsibility of the State Fire Marshal as it pertains to the review of occupant load.

The following public speakers discussed the positives and negatives of the proposed project: Lloyd "Sonny" Shields, legal representation for neighbors adjacent to the subject property (opposed); Meg Lousteau, VCPORA (opposed); Carol Gniady, French Quarter Citizens (opposed); Robert Miller, architect and previous plan reviewer for the State Fire Marshal office (opposed); Arnold Bommer, acoustical consultant (opposed); Richard Brack, retired from the Louisiana Department of Environmental Quality (opposed); Sandra Stokes, Louisiana Landmarks (opposed); Chuck Garber, 1032 Esplanade resident (opposed); Rene Fransen, 1026 Esplanade resident (opposed); Anthony Johnson, Citizens Action Committee (opposed); Stuart Smith, Smith Stag, LLC (opposed); Brian Drude, ??? (in favor), Robert Ripley, employee of neighboring business (in favor).

Mr. Skinner then noted his opposition to the open floor plan and standing room space and further stated that the canopy should be used as a canopy only, that it should not be developed for patio space on the rooftop. Mr. Henriquez asked the applicant about the intentions for use within the 1310 Esplanade structure, and Mr. Meenan responded that no plans are currently being made to redevelop the property and that 1310 Esplanade is not part of the Café Habana proposal.

Mr. Blanda moved, and Mr. Skinner seconded, to deny the proposal. The motion failed with two votes in favor (Mr. Blanda and Mr. Skinner) and four in opposition (Messrs. Taylor, Musso, and Henriquez and Mrs. Stokes). Mr. Taylor then moved, Mr. Henriquez seconded, to **approve** the proposal, with the proviso that the use of umbrellas on the canopy rooftop is strictly prohibited, and to send a recommendation for **approval** to City Planning Commission for the proposed resubdivision. The motion passed with four votes in favor – Mr. Taylor, Mr. Musso, Mr. Henriquez, and Mrs. Stokes – and two votes in opposition – Mr. Blanda and Mr. Skinner.



## CAFE HABANA

ADDRESS OF PROJECT:  
1040 ESPLANADE AVE / 1324 NORTH RAMPART  
1036-1038 ESPLANADE AVE  
NEW ORLEANS, LA 70116

... COLORS DEPICTED ARE NOT FINAL, THEY ARE FOR RENDERING PURPOSES ONLY TO HELP CONVEY OVERALL AESTHETICS & MATERIALITY ...

CONSTRUCTION DOCUMENTS 12-19-14

ARCH NO.

A0.5

TITLE

**ROZAS • WARD**  
ARCHITECTS  
A PROFESSIONAL CORPORATION  
1129 PONDERS ST. SUITE 200 NOVA 7142 504.541.4213



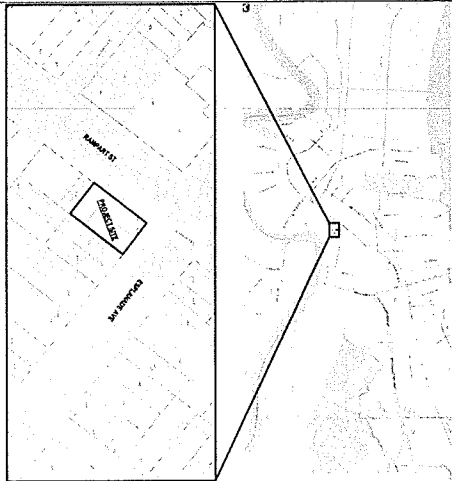
CAFE HABANA  
1040 ESPLANADE AVE / 1324 NORTH RAMPART  
1036-1038 ESPLANADE AVE  
NEW ORLEANS, LA 70116

## CONSTRUCTION DOCUMENTS

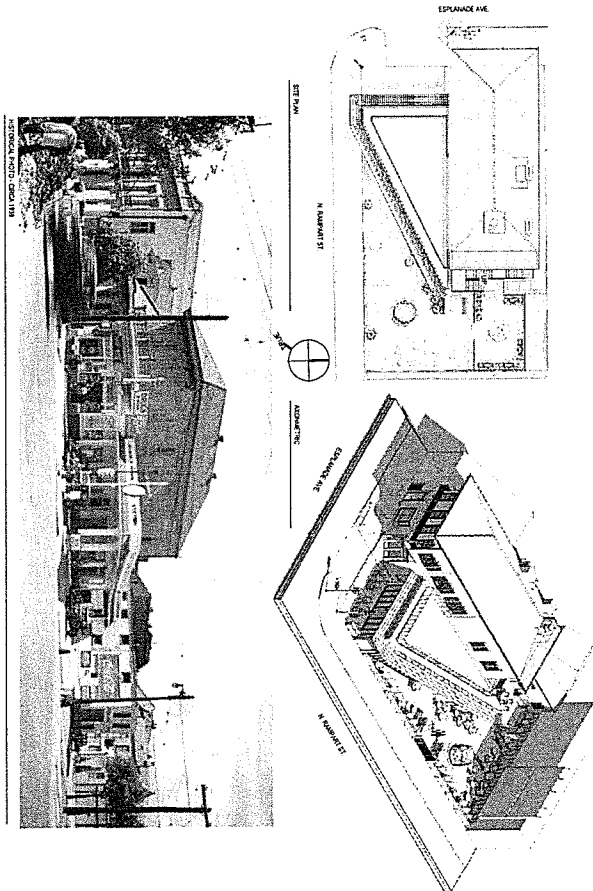
### PROJECT INFORMATION:

PROJECT LOCATION  
1040 ESPLANADE AVE  
NEW ORLEANS, LA 70116  
PROJECT DESCRIPTION: 30 UNIT 1ST FLOOR AND 3 UNIT 2ND FLOOR  
CONSTRUCTION  
DESIGNER: ROZAS • WARD ARCHITECTS  
1036-1038 ESPLANADE AVE  
NEW ORLEANS, LA 70116  
OWNER: 1036-1038 ESPLANADE AVE  
1036-1038 ESPLANADE AVE  
NEW ORLEANS, LA 70116  
ARCHITECT: ROZAS • WARD ARCHITECTS  
1036-1038 ESPLANADE AVE  
NEW ORLEANS, LA 70116  
DATE: 10/15/2015  
PROJECT NUMBER: 1036-1038 ESPLANADE AVE  
PROJECT NAME: 1036-1038 ESPLANADE AVE  
PROJECT ADDRESS: 1036-1038 ESPLANADE AVE  
PROJECT CITY: NEW ORLEANS, LA 70116  
PROJECT STATE: LA 70116  
PROJECT ZIP: 70116

### VICINITY MAP:



### SITE PLAN AND MASSING



### PROJECT TEAM:

OWNER	1036-1038 ESPLANADE AVE PO BOX 1038 NEW ORLEANS, LA 70116
ARCHITECT	ROZAS • WARD ARCHITECTS 1036-1038 ESPLANADE AVE NEW ORLEANS, LA 70116 PHONE: 504.581.7722 FAX: 504.581.7722
CONTRACTOR	CONTRACTOR NAME 1036-1038 ESPLANADE AVE NEW ORLEANS, LA 70116 PHONE: 504.581.7722 FAX: 504.581.7722

### PLAN SYMBOLS AND GENERAL NOTES

1	PORTABLE FIRE EXTINGUISHING CABINET
2	WINDSHIELD ACCESSIBLE
3	GLASS BARS
4	FACE OF WALL
5	FACE OF SLOPE

LEGEND PLAN  
1/8" = 1'-0"

ROZAS • WARD  
ARCHITECTS  
A1.0  
PALMISANO  
CONTRACTORS  
504.581.7722



Architectural floor plan of a residential unit. The plan includes a deck area (156 SF ± 7.2 sq. ft.) and a roof deck (100 SF ± 9.3 sq. ft.). The unit is labeled "RESIDENTIAL UNIT 1, 155 SF ± 100 x 10". The plan shows various rooms including a kitchen, living area, and bedrooms. The deck area is labeled "DECK AREA" and the roof deck is labeled "ROOF DECK". The plan also shows a "SETBACK" and a "3' WALKWAY". The unit is located on a "BALCONY". The plan includes a "REAR PATIO" and a "FRONT PATIO". The plan also shows a "STAIRS" and a "HALL". The plan includes a "KITCHEN" and a "LIVING AREA". The plan also shows a "BEDROOM" and a "BATHROOM". The plan includes a "CLOSET" and a "DRESSING ROOM". The plan also shows a "PORCH" and a "TERRACE". The plan includes a "GARAGE" and a "DRIVEWAY". The plan also shows a "FENCE" and a "GATE". The plan includes a "LANDSCAPE" and a "GARDEN". The plan also shows a "POOL" and a "SPA". The plan includes a "BBQ AREA" and a "PICNIC AREA". The plan also shows a "TRAMPOLINE" and a "PLAY SET". The plan includes a "HUT" and a "SHED". The plan also shows a "GARAGE" and a "DRIVEWAY". The plan includes a "FENCE" and a "GATE". The plan also shows a "LANDSCAPE" and a "GARDEN". The plan includes a "POOL" and a "SPA". The plan also shows a "BBQ AREA" and a "PICNIC AREA". The plan includes a "TRAMPOLINE" and a "PLAY SET". The plan also shows a "HUT" and a "SHED".

PER NHPA TABLE 7.1.12, OCCUPANT LOAD FACTOR

ASSEMBLY OCCUPANCY  
1ST FLOOR

ASSAULT MORE CONCENTRATED W/O FIXED AREA 1	29
ASSAULT MORE CONCENTRATED W/O FIXED AREA 2	70
ASSAULT FIXED SEATING AREA 1	20
ASSAULT FIXED SEATING AREA 2	10
ASSAULT FIXED SEATING AREA 3	6
OFFICE	1
STORAGE	1
KITCHEN	1
KITCHEN (BAR)	4
2ND FLOOR	
DECK AREA	49
TOTAL	153

RESIDENTIAL OCCUPANCY  
2ND FLOOR

## RESIDENTIAL UNIT

10

○ LEGEND - LIFE SAFETY PLAN  
1/4" = 1'-0"

NO	REVISION	DATE
VCC - CONSTRUCTION DOCUMENTS		1-5-14
VCC - CONSTRUCTION DOCUMENTS		12-19-14
VCC - CONSTRUCTION DOCUMENTS		11-18-14
VCC - CONSTRUCTION DOCUMENTS		10-6-14
VCC - DESIGN DEVELOPMENT		5-15-14
VCC - CONCEPTUAL		8-12-14

CARE HUBBARD	PROJECT
100 ESPYLADE AVE / 1324 NORTH RAMPART	
1008-1020 ESPYLADE AVE	
NEW ORLEANS, LA 70116	
Project Number	JOB NO.
LIFE SAFETY	TITLE
As ind called	SCALE
Author / Checker	DRAWN/CHECK

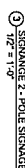
A1.2  
LS

**ROZAS • WARD**  
**Architects**  
ONE TILDA ROAD CANTON  
1100 POTOMAC AVE SUITE 3500 NW  
WASHINGTON DC 20007  
202 544 4311 FAX 202 544 4312

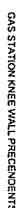




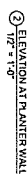
④ SIGNAGE 1 - BUILDING SIGNAGE  
1/2" = 1'-0"



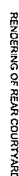
③ SIGNAGE 2 - POLE SIGNAGE  
1/2" = 1'-0"



### GAS STATION KNEE WALL PRECEDENTS



② ELEVATION AT PLANTER WALL  
1/2" = 1'-0"



### RENDERING OF REAR COURTYARD

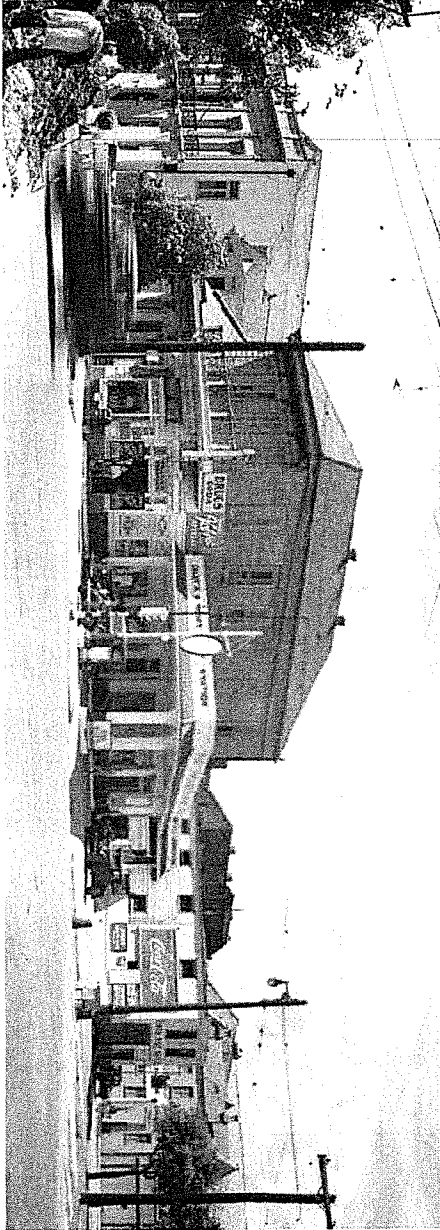
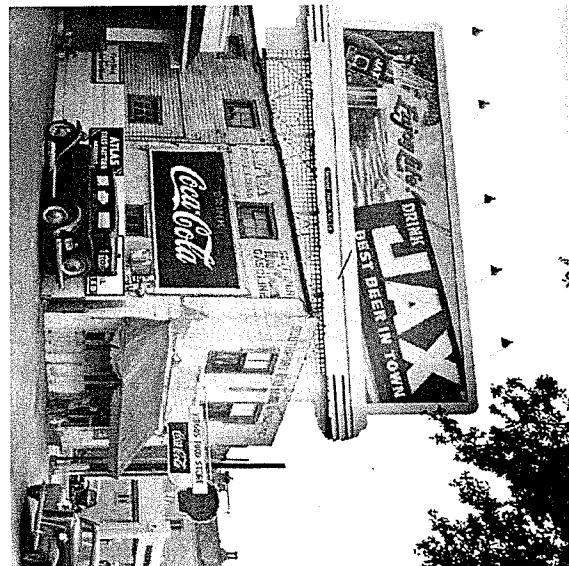
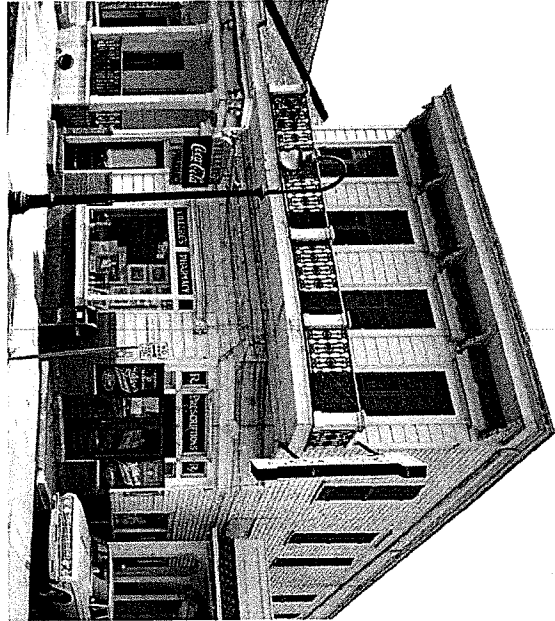


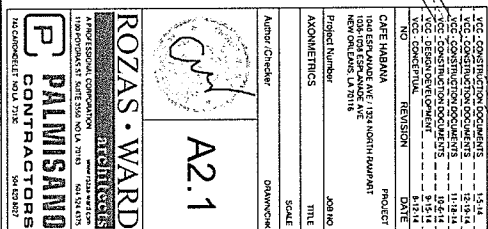
①  $3/8" = 1.5$



○ LEGEND - 1  
1/4" = 1'-0"

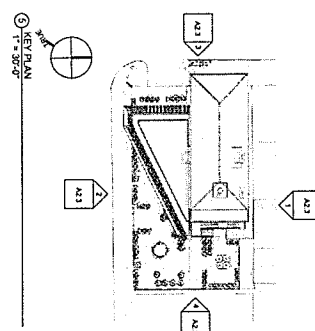
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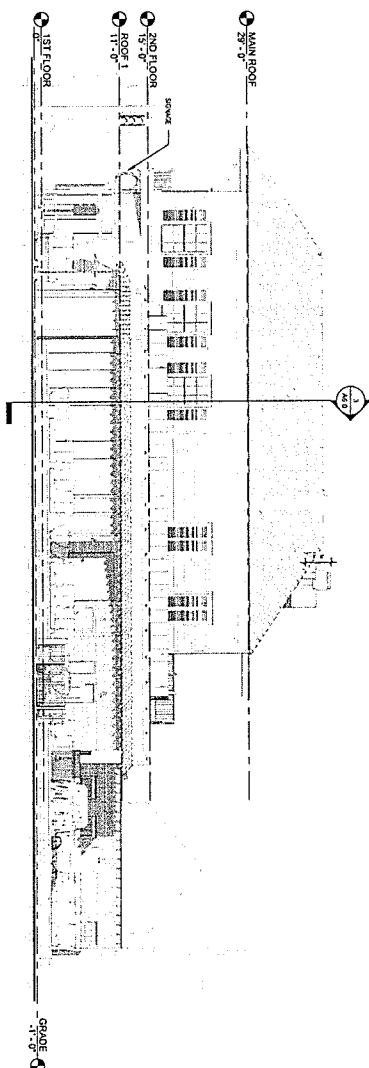




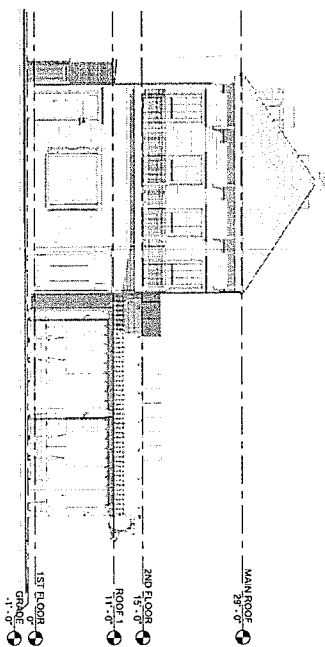




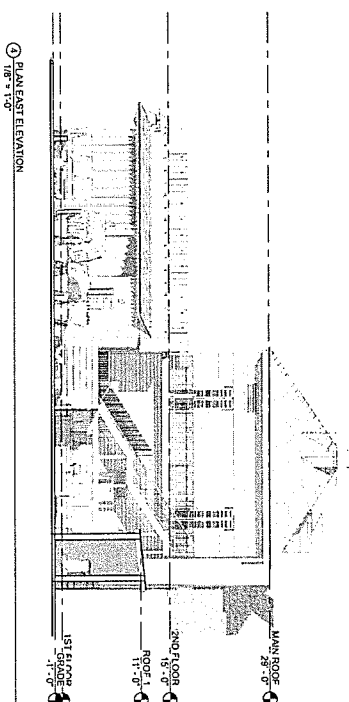
① PLAN NORTH ELEVATION  
1/8" = 1'-0"



















② PLAN SOUTH ELEVATION - RAMPART ST  
1/8" = 1'-0"



③ PLAN EAST ELEVATION - ESPLANADE ST  
1/8" = 1'-0"



4 PLAN EAST ELEVATION  
1/8" = 1'-0"

	ENTRY WALL
	EXITING WALL
	DOOR WITH WINDOW AND SILLION AT
	DOOR WITH WINDOW AND SILLION AT
	DOOR W/NO
	PARTITION W/NO
	SPECIFIC NOTE
	WINDOW W/NO
	ROOM NUMBER
	PORTAL FIRE EXTINGUISHER CURRENT
	DOOR WITH WINDOW ACCESSIBLE
	PORTAL FIRE
	DOOR WITH ENTRY ACCESS
	GLASS BARS
	FIRE W/NO
	FIRE W/NO

LEGEND - PLAN

1/4" = 1'-0"

NO	REVISION	DATE
VCC - CONSTRUCTION DOCUMENTS		12-19-14
VCC - CONSTRUCTION DOCUMENTS		11-18-14
VCC - CONSTRUCTION DOCUMENTS		10-14-14
VCC - DESIGN DEVELOPMENT		9-15-14
VCC - CONCEPTUAL		8-12-14

PROJECT	CASE HABANA
	1846 ESPLANADE AVE. 1324 NORTH ROUPONT
	1804-1038 ESPANADE AVE
	NEW ORLEANS, LA 70116
JOB NO.	Project Number
TITLE	PROPOSED EXTERIOR ELEVATIONS

As indicated	SCALE
Author /Checker	DRAWN/CH

**ROZAS • WART**  
architect
















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FAX 904.633.4233

**PALMISANO**  
CONTRACTOR

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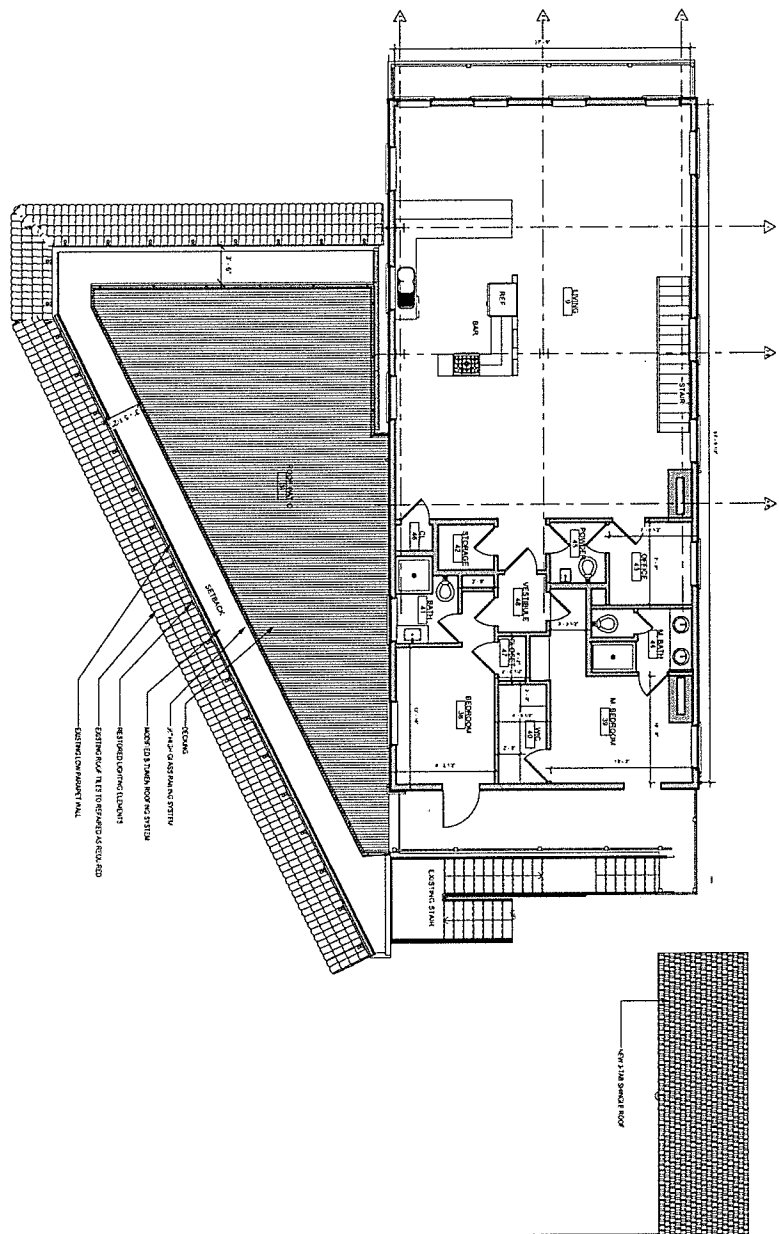


	NEW WALL
	EXISTING WALL
	OUTDOOR ELEVATOR
	LOCK ROOMS
	PARTITION TAG
	SPECIFIC NOTE
	WINDOW TAG
	ROOM NUMBER
	PORTABLE HVAC
	DOOR OPEN HVAC
	PUSH PLATE
	CARD READER
	GRAB BARS
	FACE OF WALL
	FACE OF STUD















PROJECT	DATE
1046 ESPANADA AVE, 1324 NORTH RIVAPART	04/06/2016
1020-1021 ESPANADA AVE	
NEW ORLEANS, LA 70116	
Project Number	JOB NO.
1ST FLOOR PLAN	TITLE
As indicated	SCALE
Author/Checker	DRAWN/CHKD

**ROZAS • WARD**  
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1108 POTOMAC ST. SUITE 3500 NOLA 70113 504.524.4376  
NEW OFFICE AND OPENING  
504.423.4422

**PALMISANO**  
CONTRACTORS  
745 CAROLLETT NOLA 71116 504.423.4422



○ LEGEND - PLAN  
1/4" = 1'-0"


	NEW WALL
	EXISTING WALL
	INTERIOR ELEVATION TAG BARBERS AT SALAD ROOMS
	DOOR TAG
	PARTITION TAG
	SIGN ON MOTIF
	WINDOW TAG
	ROOM NUMBER
	PORCH & FIRE ESCAPE WINDOW CABINET
	PORCH & FIRE ESCAPE WINDOW ACCESSIBLE RAMP PLATE
	COLD READER ENTRY ACCESS
	GOAL PANEL
	FLAG OR WALL
	FLAG OR STOOL

Author / Checker	DRAWING
------------------	---------

### A3.3.2

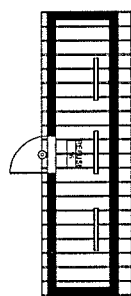
**ROZAS • WARD**  
architects








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 **PALMISANO**  
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904.420.4237





- 
**PAINTED GVM CEILING ASSEMBLY**  
 2x4x4 ALUMINUM CEILING GRID SYSTEM RECESSED LIGHT FIXTURE
- 
**NEW 2x4x4 DIAGRID NON-DIRECT LIGHT FIXTURE**  
 NEW 2x4x4 ALU-IN-ALU DIAGRID NON-DIRECT RECESSED LIGHT W/ PRISMATIC LENS
- 
**NEW 2x4x4 LAY-IN FLUORESCENT LIGHT W/ PRISMATIC LENS**
- 
**NEW 4' ROUND RECESSED CAN**
- 
**SPECIFY NOTE**  
 4000 LUMENS, 5000K, 20' SPACING, 1/2" SLIP, 2" BENT, 1/2" SPACING, 1/2" SLIP, 2" BENT, 1/2" SPACING, ONE-WAY EXIT PATH, ONE-WAY EXIT PATH
- 
**4' x 4'**  
 CEILING HEIGHT ELEVATION
- 
**LEGEND: RCP**  
 1/8" = 1'

○ LEGEND - RCP  
1/8" = 1'-0"

NO	REVISION	DATE
VCC - CONSTRUCTION DOCUMENTS		12-19-14
VCC - CONSTRUCTION DOCUMENTS		11-18-14
VCC - CONSTRUCTION DOCUMENTS		10-5-14
VCC - DESIGN DEVELOPMENT		9-15-14
VCC - CONCEPTUAL		8-12-14

① 1ST FLOOR  
3'16" = 1'-0"

Author	Dr. Praveen Chandra
Author, Checker	Dr. Praveen Chandra

## A4.0

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A PROFESSIONAL CORPORATION      www.fitasandco.com

**APPROVED CORPORATION** www.fishandcon.com  
1100 POWERS ST. SUITE 350 NO. LA 70163 504.524.4375

**PALMIST**

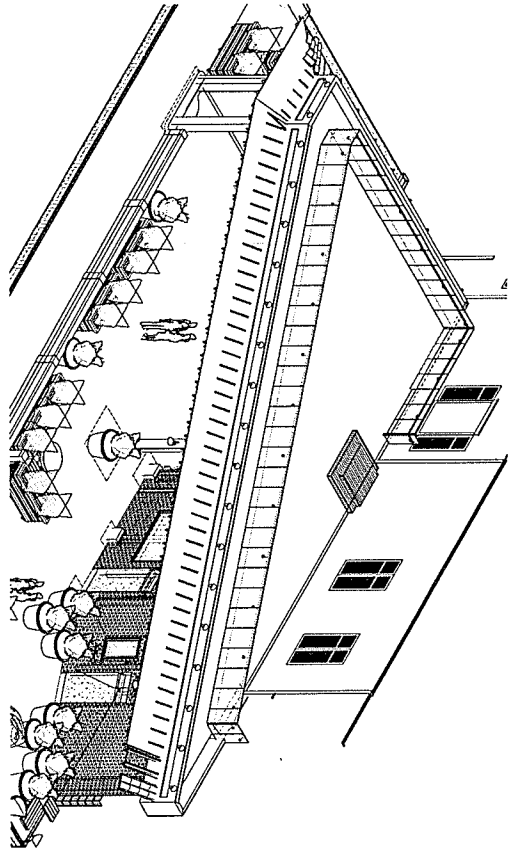
**CONTRACTORS**  
749 CANONCLET MO LA 75102 504 829 8827



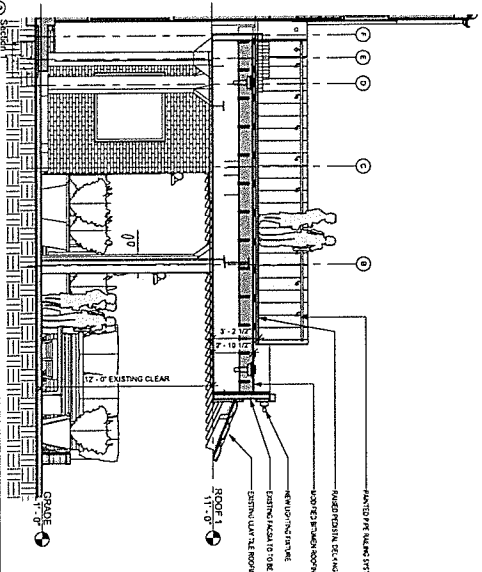




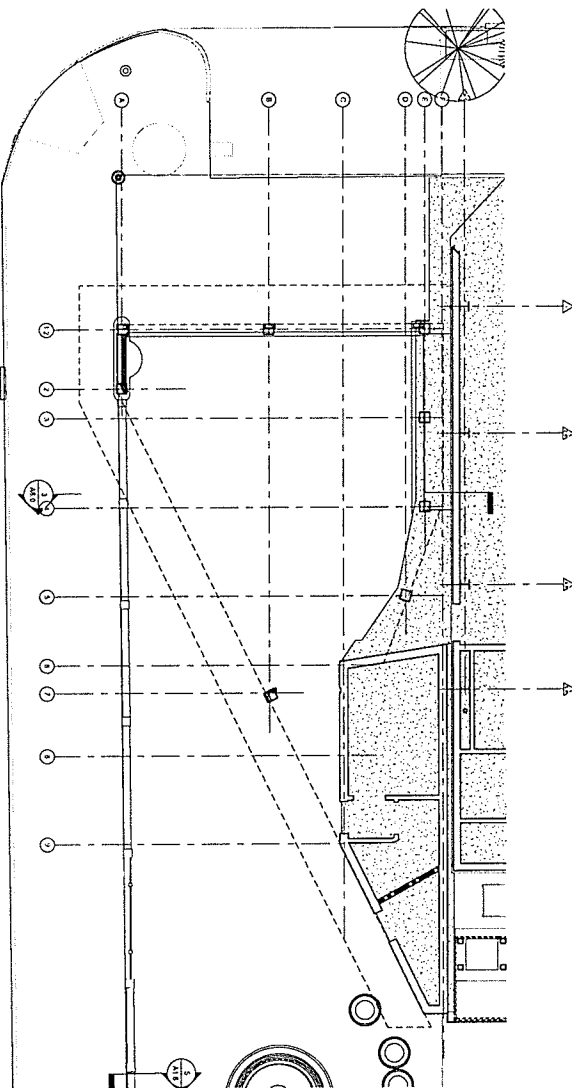
1 STRUCTURAL SECTION A-A' ON



2 SECTION A-A' ON



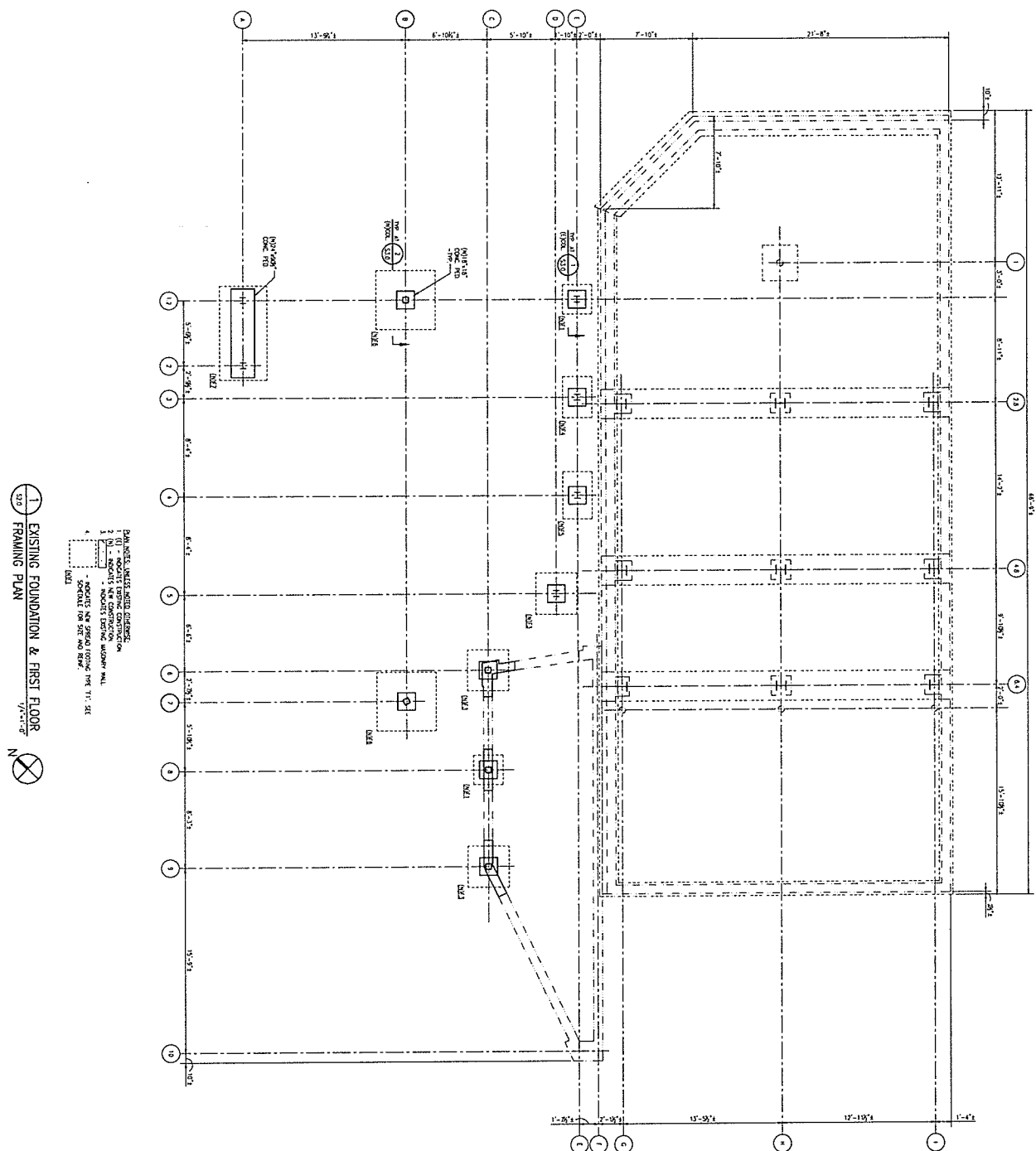
3 Section A-A' ON



<b>ROZAS • WARD</b>	
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1100 POND STREET, SUITE 200, MOBILE, AL 36688	
TEL: 904.633.1100 FAX: 904.633.1101	
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<b>PALMISANO</b>	
<b>CONTRACTORS</b>	
1100 POND STREET, SUITE 200, MOBILE, AL 36688	
TEL: 904.633.1100 FAX: 904.633.1101	
WWW.PALMISANO.COM	

<b>CAFE HABANA</b>	
1000 ESPANOLA AVE, 1ST FLOOR, MOBILE, AL 36688	
NEW ORLEANS, LA 70114	
Project Number: 1000	
Title: A6.0	
Scale: 1/8" = 1'-0"	
Author: [Signature]	
Checker: [Signature]	
Date: 12/18/2014	
Revision: 1	
Description: 1000 ESPANOLA AVE, 1ST FLOOR, MOBILE, AL 36688	
Project Number: 1000	
Title: A6.0	
Scale: 1/8" = 1'-0"	
Author: [Signature]	
Checker: [Signature]	
Date: 12/18/2014	
Revision: 1	
Description: 1000 ESPANOLA AVE, 1ST FLOOR, MOBILE, AL 36688	





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## S2.0

Author/Checker	DRAWN CIP
----------------	-----------

	TITLE
EXISTING FDN. & 1ST FLR. FRAMING	

Project Number	JOB NO

1040 ESPLANADE AVE.

VCC - CONCEPTUAL 6-12-14

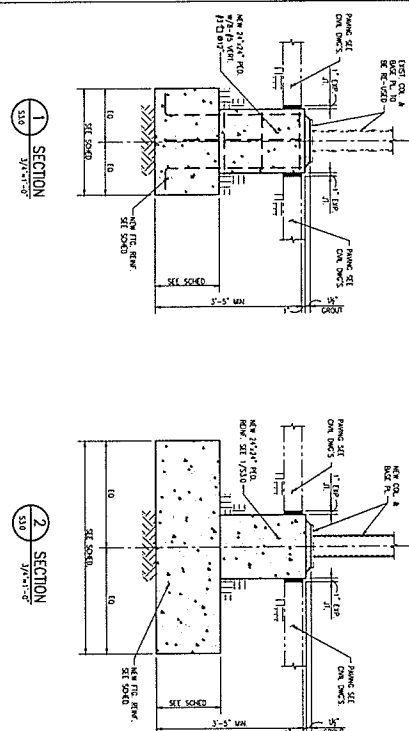
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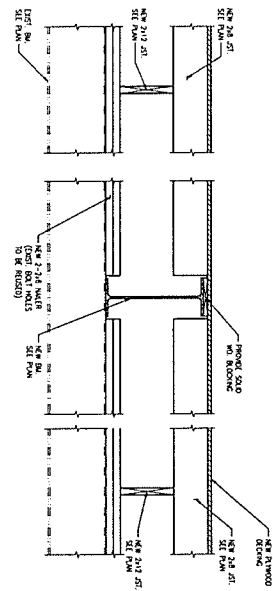
**MORPHY MAKOFSKY INCORPORATED**  
CONCRETE ERECTION  
(504) 448-1317  
JOS. NO. 17081

**PALMISTHILL CONTRACTORS**  
245 CAROUSEL LN. LA. 70130 504 830 8027

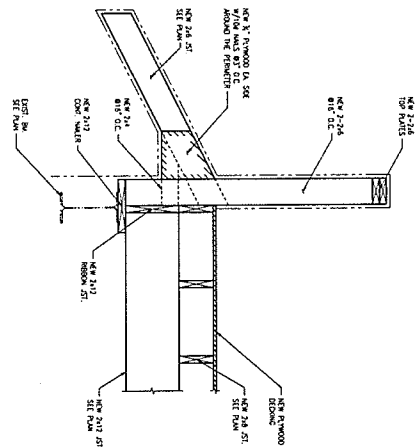
**ROZAS • WARD**  
Architects  
A PRICK ESSLON, CONSULTATION  
1100 PORTLAND ST. SUITE 3550 NO. LA 70110  
504 574 0110  
www.rozasward.com

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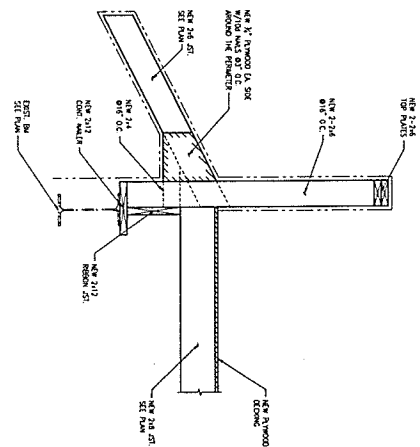
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S4.0  
1"=1'-0"



SECTION 2  
1-01-00  
S40



SECTION 3  
S40  
1"=1'-0"



10-06-10



**PALMISTAR**  
**CONTRACTORS**  
746 CARDWELL / NO. LA 70130 554 820 8227

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## S4.0

[illegible]





**PONTCHARTRAIN MECHANICAL**  
METAL FABRICATING  
701 LITTLE LAGOON AVE  
METairie, LA 70001  
(504) 835-1061

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A PROFESSIONAL CORPORATION  
1700 HOWARD ST. SUITE 3500 NO. VA. 70163  
NEW ORLEANS, LA 70112  
504 574-4375  
504 574-4375  
CONTRACTORS  
246 CAROLLETT NO. VA. 70730  
504 630-0627

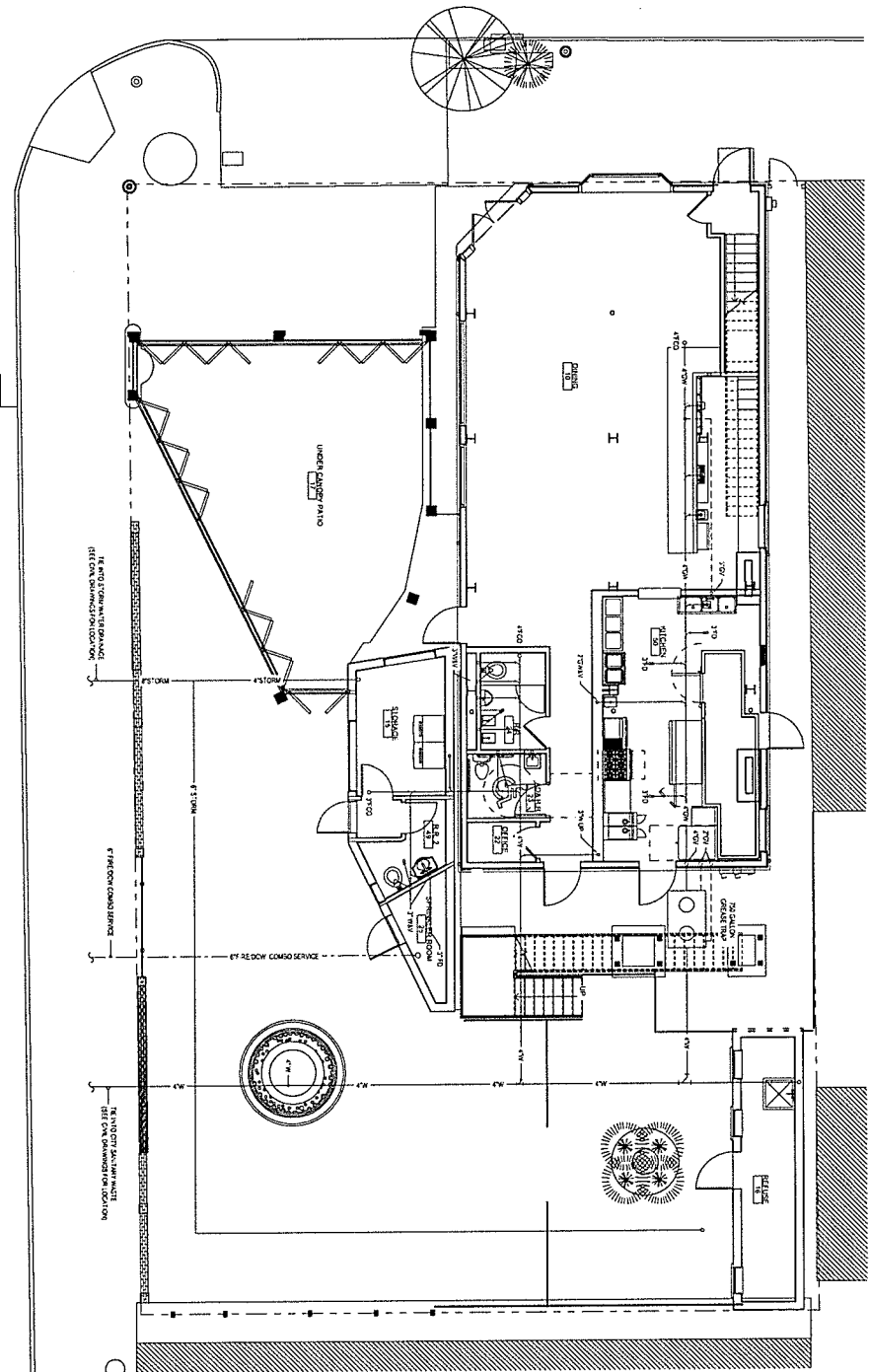
① Roof Plan - HVAC  
3/16" = 1'-0"

**PONTCHARTRAIN MECHANICAL**  
716 LITTLE TAWNS WAY  
METairie, LA 70003  
(504) 738-1041

**ROZAS • WARD**  
**architects**  
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1100 PINEHALL ST. SUITE 2500 NO. LA. 70110  
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504-584-4275 504-584-4275  
CONTRACTORS  
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504-820-0027

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① Underpinned - Pumping  
3/16" = 1'-0"



PONTCHARTRAIN MECHANICAL, INC.  
12007 LAFAYETTE AVENUE  
NEW ORLEANS, LA 70118

**ROZAS • WARD**  
**ARCHITECTS**  
12007 LAFAYETTE AVENUE  
SUITE 300 NEW ORLEANS, LA 70118  
504.577.4275

**PALMISANO**  
**CONTRACTORS**  
504.577.4275

P1.0

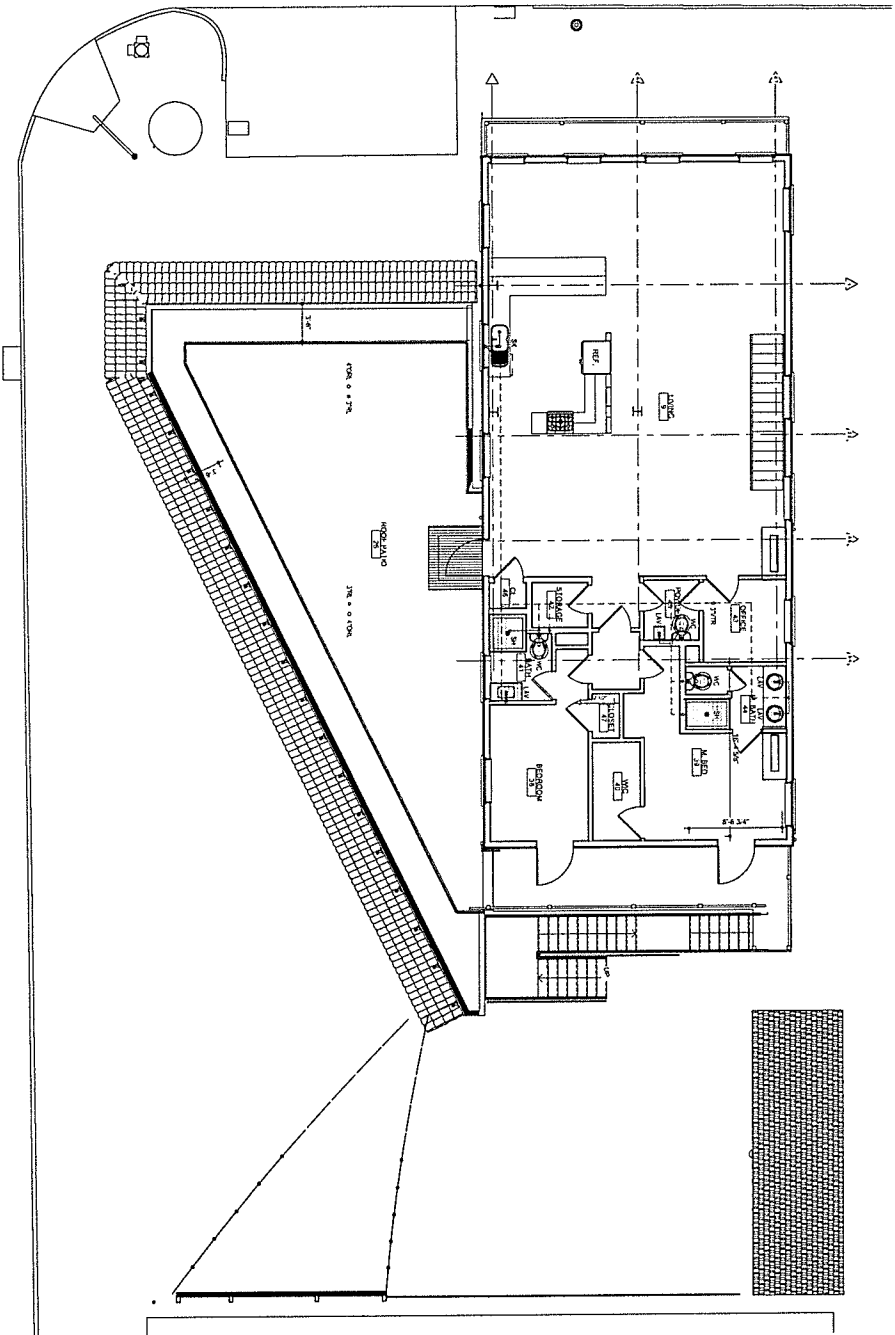
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REVISION	1	BY	
DESCRIPTION	UNDERPINNING	DATE	
NO.	13007	PROJECT	JOHN
DESCRIPTION	Underpinned - Pumping	TITLE	
DATE	12/1/18	SCALE	
REVISION	1	BY	
DESCRIPTION	UNDERPINNING	DATE	

**ROZAS • WARD**  
**Architects**  
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1100 PALM BEACH BLVD., SUITE 2500  
PALM BEACH, FL 33480  
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FAX: 561-833-7273  
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Second Floor - Plumbing, DWY & Water  
1/8" = 1'-0"

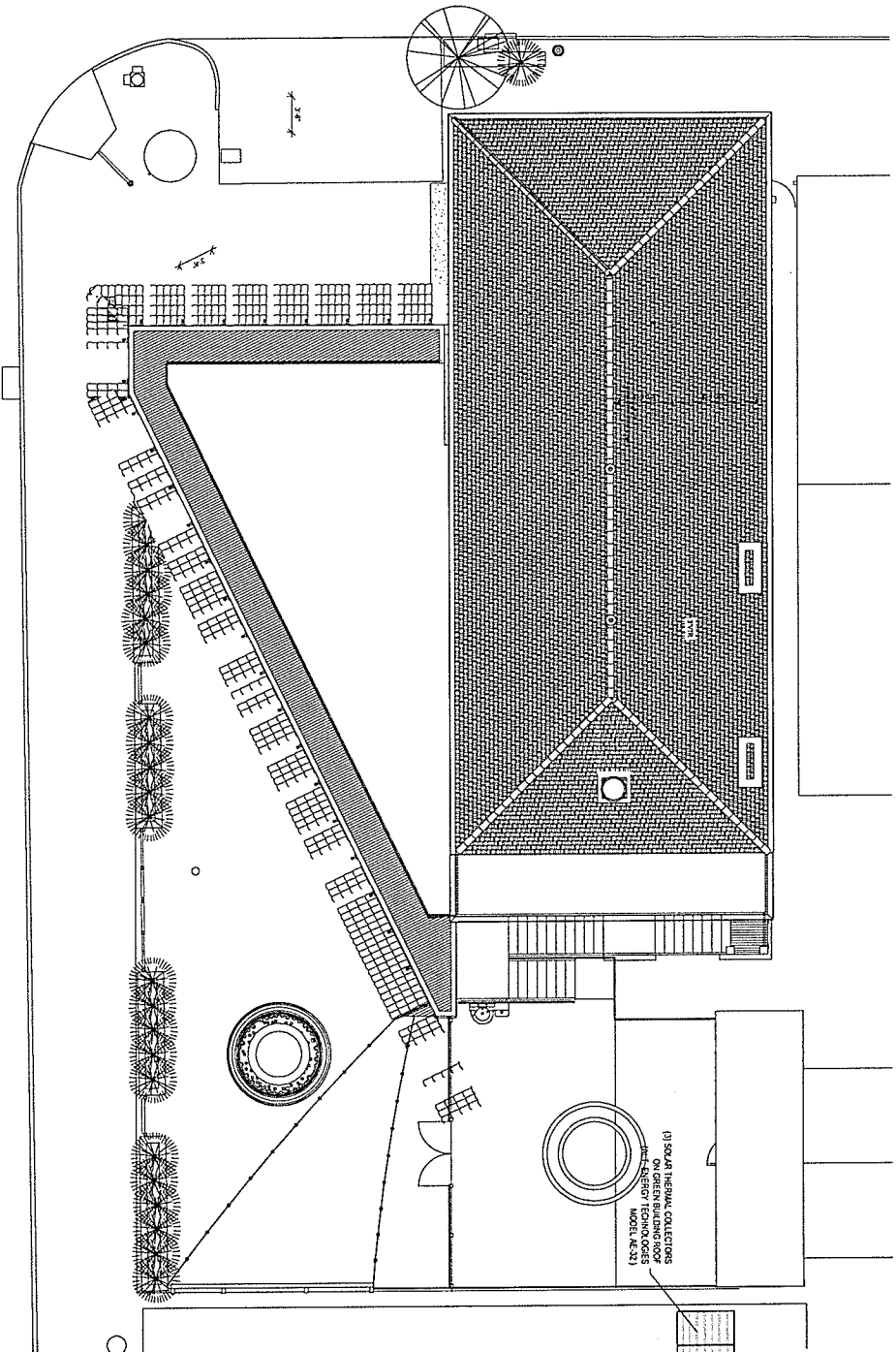


**ROZAS • WARD**  
MECHANICAL  
1800 WOODLAND ST. SUITE 3000 HOUSTON, TX 77055  
713-661-1111  
PONTCHARTRAIN MECHANICAL, INC.  
CONTRACTORS  
HOUSTON, TX 77055

P1.2

NO.	REVISION	DATE
1	ISSUED FOR PERMIT	11-18-14
2	ISSUED FOR PERMIT	11-18-14
3	ISSUED FOR PERMIT	11-18-14
4	ISSUED FOR PERMIT	11-18-14
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1 Roof Plan - Furnishing, DWG & WATER  
3/16" = 1'-0"



**ROZAS • WARD**  
ARCHITECTS  
1000 PONTIAC ST. SUITE 200 NOLA, LA 70114 504-584-4173  
PONTICHAIR/BAIRD/MECHANICAL, INC.  
1420 MONROE ST. SUITE 200 NOLA, LA 70114 504-584-4173

NO.	REVISION	DATE	PROJECT
1	ISSUED FOR PERMIT	11/18/14	HABANA OUTPOST
2	FOR CONSTRUCTION	11/18/14	
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100	FOR CONSTRUCTION	11/18/14	

P1.3

# SYMBOL SCHEDULE

## LIGHTING FIXTURE SCHEDULE

NO.	SYMBOL	DESCRIPTION	QUANTITY	REMARKS
1		1' x 4' FLUORESCENT FIXTURE	10	
2		2' x 4' FLUORESCENT FIXTURE	5	
3		4' x 8' FLUORESCENT FIXTURE	2	
4		6' x 8' FLUORESCENT FIXTURE	1	
5		8' x 8' FLUORESCENT FIXTURE	1	
6		1' x 2' FLUORESCENT FIXTURE	20	
7		2' x 2' FLUORESCENT FIXTURE	10	
8		4' x 4' FLUORESCENT FIXTURE	5	
9		6' x 6' FLUORESCENT FIXTURE	2	
10		8' x 6' FLUORESCENT FIXTURE	1	
11		1' x 6' FLUORESCENT FIXTURE	10	
12		2' x 6' FLUORESCENT FIXTURE	5	
13		4' x 6' FLUORESCENT FIXTURE	2	
14		6' x 4' FLUORESCENT FIXTURE	1	
15		8' x 4' FLUORESCENT FIXTURE	1	
16		1' x 8' FLUORESCENT FIXTURE	10	
17		2' x 8' FLUORESCENT FIXTURE	5	
18		4' x 8' FLUORESCENT FIXTURE	2	
19		6' x 8' FLUORESCENT FIXTURE	1	
20		8' x 8' FLUORESCENT FIXTURE	1	

## GENERAL NOTES

1. ALL ELECTRICAL WORK SHALL BE IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) CODES.
2. ALL ELECTRICAL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL ELECTRICAL CODE (NEC) AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) CODES.
3. ALL ELECTRICAL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL ELECTRICAL CODE (NEC) AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) CODES.
4. ALL ELECTRICAL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL ELECTRICAL CODE (NEC) AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) CODES.
5. ALL ELECTRICAL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL ELECTRICAL CODE (NEC) AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) CODES.

CONTRACT NO. E-1000-1000

## LIGHTING SYMBOLS

SYMBOL	DESCRIPTION
	1' x 4' FLUORESCENT FIXTURE
	2' x 4' FLUORESCENT FIXTURE
	4' x 8' FLUORESCENT FIXTURE
	6' x 8' FLUORESCENT FIXTURE
	8' x 8' FLUORESCENT FIXTURE
	1' x 2' FLUORESCENT FIXTURE
	2' x 2' FLUORESCENT FIXTURE
	4' x 4' FLUORESCENT FIXTURE
	6' x 6' FLUORESCENT FIXTURE
	8' x 6' FLUORESCENT FIXTURE
	1' x 6' FLUORESCENT FIXTURE
	2' x 6' FLUORESCENT FIXTURE
	4' x 6' FLUORESCENT FIXTURE
	6' x 4' FLUORESCENT FIXTURE
	8' x 4' FLUORESCENT FIXTURE
	1' x 8' FLUORESCENT FIXTURE
	2' x 8' FLUORESCENT FIXTURE
	4' x 8' FLUORESCENT FIXTURE
	6' x 8' FLUORESCENT FIXTURE
	8' x 8' FLUORESCENT FIXTURE

## WIRING SYMBOLS

SYMBOL	DESCRIPTION
	1' x 4' FLUORESCENT FIXTURE
	2' x 4' FLUORESCENT FIXTURE
	4' x 8' FLUORESCENT FIXTURE
	6' x 8' FLUORESCENT FIXTURE
	8' x 8' FLUORESCENT FIXTURE
	1' x 2' FLUORESCENT FIXTURE
	2' x 2' FLUORESCENT FIXTURE
	4' x 4' FLUORESCENT FIXTURE
	6' x 6' FLUORESCENT FIXTURE
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	6' x 4' FLUORESCENT FIXTURE
	8' x 4' FLUORESCENT FIXTURE
	1' x 8' FLUORESCENT FIXTURE
	2' x 8' FLUORESCENT FIXTURE
	4' x 8' FLUORESCENT FIXTURE
	6' x 8' FLUORESCENT FIXTURE
	8' x 8' FLUORESCENT FIXTURE

## ABBREVIATIONS

SYMBOL	DESCRIPTION
	1' x 4' FLUORESCENT FIXTURE
	2' x 4' FLUORESCENT FIXTURE
	4' x 8' FLUORESCENT FIXTURE
	6' x 8' FLUORESCENT FIXTURE
	8' x 8' FLUORESCENT FIXTURE
	1' x 2' FLUORESCENT FIXTURE
	2' x 2' FLUORESCENT FIXTURE
	4' x 4' FLUORESCENT FIXTURE
	6' x 6' FLUORESCENT FIXTURE
	8' x 6' FLUORESCENT FIXTURE
	1' x 6' FLUORESCENT FIXTURE
	2' x 6' FLUORESCENT FIXTURE
	4' x 6' FLUORESCENT FIXTURE
	6' x 4' FLUORESCENT FIXTURE
	8' x 4' FLUORESCENT FIXTURE
	1' x 8' FLUORESCENT FIXTURE
	2' x 8' FLUORESCENT FIXTURE
	4' x 8' FLUORESCENT FIXTURE
	6' x 8' FLUORESCENT FIXTURE
	8' x 8' FLUORESCENT FIXTURE

## DEVICE MOUNTING HEIGHTS

DEVICE	MOUNTING HEIGHT
1' x 4' FLUORESCENT FIXTURE	8'-0"
2' x 4' FLUORESCENT FIXTURE	8'-0"
4' x 8' FLUORESCENT FIXTURE	8'-0"
6' x 8' FLUORESCENT FIXTURE	8'-0"
8' x 8' FLUORESCENT FIXTURE	8'-0"
1' x 2' FLUORESCENT FIXTURE	8'-0"
2' x 2' FLUORESCENT FIXTURE	8'-0"
4' x 4' FLUORESCENT FIXTURE	8'-0"
6' x 6' FLUORESCENT FIXTURE	8'-0"
8' x 6' FLUORESCENT FIXTURE	8'-0"
1' x 6' FLUORESCENT FIXTURE	8'-0"
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1' x 8' FLUORESCENT FIXTURE	8'-0"
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4' x 8' FLUORESCENT FIXTURE	8'-0"
6' x 8' FLUORESCENT FIXTURE	8'-0"
8' x 8' FLUORESCENT FIXTURE	8'-0"

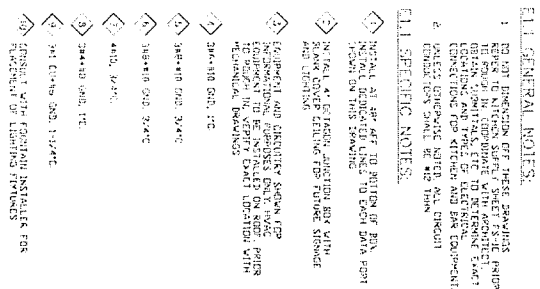


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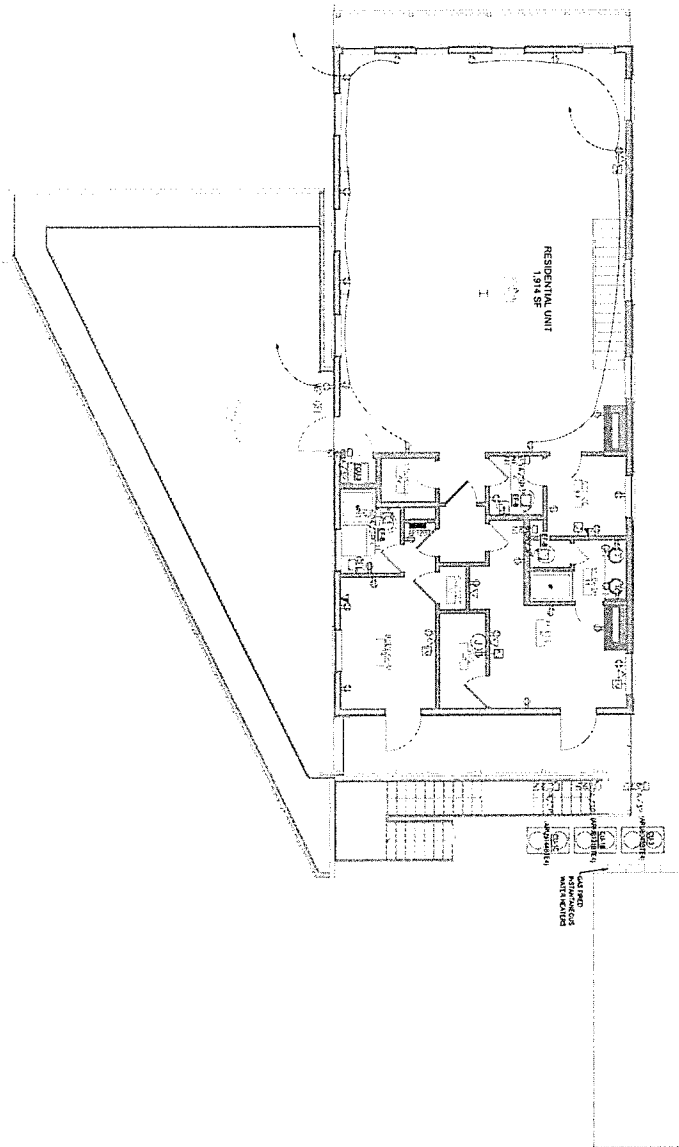
**ROZAS • WARD**  
**nightclubs**  
 10000 WILLOW AVE. SUITE 100  
 LOS ANGELES, CA 90024  
 (213) 731-1100

**E1.2**

**SAINT OF HEAVEN**  
 JAMES L. HUNTER  
 RICHARD J. HUNTER  
 PRODUCED BY  
 MICHAEL B. ROSENTHAL



1/10/2018 10:11 AM



- E2.2 GENERAL NOTES:**
1. DO NOT DISPOSE OF ANY DEBRIS INTO THE KITCHEN SINK. THE SINK IS TO BE USED FOR WASHING ONLY. ALL DEBRIS IS TO BE REMOVED FROM THE UNIT AND DISPOSED OF PROPERLY.
  2. UNITS SHOWER WITH ALL CLOTHES AND LINENS. UNITS SHALL BE 100% CLEAN.

- E2.2 SPECIFIC NOTES:**
1. INSTALL AT 48" AFF. TO BOTTOM OF BOX. INSTALL STRAPPED LINE TO EACH SIDE. 100% ON THIS BOARD.
  2. INSTALL 4" DEEPEN SECTION 20" WITH 2"X4" DIMENSION. SECTION 20" WITH 2"X4" DIMENSION. SECTION 20" WITH 2"X4" DIMENSION.
  3. 200-112 UDL 112.
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  99. 200-112 UDL 112.
  100. 200-112 UDL 112.



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 www.xceltaelectric.com



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 www.palmisanocontractors.com



**ROZAS-WARD**  
 E2.2

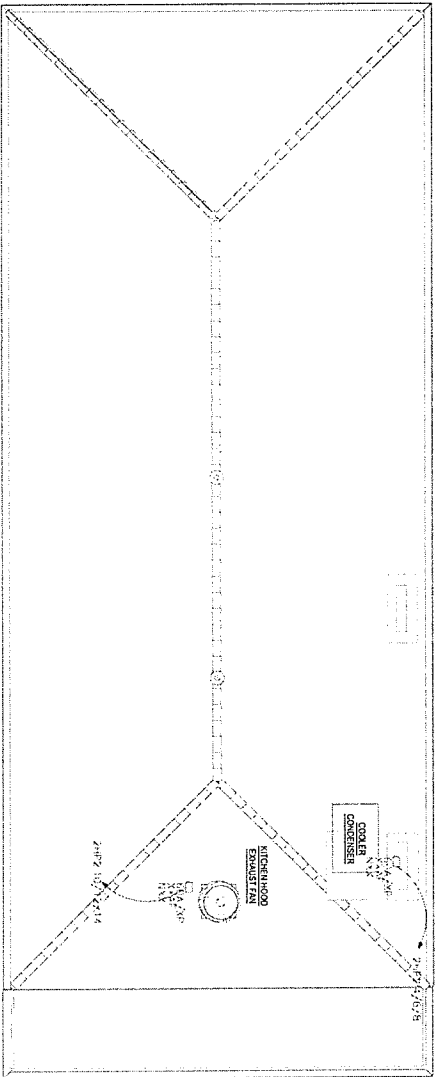
NO.	DESCRIPTION	QTY	UNIT	PRICE	TOTAL
1	RESIDENTIAL UNIT 1314-S	1	SQ. FT.	1000.00	1000.00
2	KITCHEN SINK	1	EA	100.00	100.00
3	BATHROOM SINK	1	EA	100.00	100.00
4	BEDROOM SINK	1	EA	100.00	100.00
5	LIVING AREA SINK	1	EA	100.00	100.00
6	STAIRCASE SINK	1	EA	100.00	100.00
7	HALLWAY SINK	1	EA	100.00	100.00
8	CLINICAL SINK	1	EA	100.00	100.00
9	LABORATORY SINK	1	EA	100.00	100.00
10	RESEARCH SINK	1	EA	100.00	100.00
11	STORAGE SINK	1	EA	100.00	100.00
12	RESTROOM SINK	1	EA	100.00	100.00
13	TOILET SINK	1	EA	100.00	100.00
14	SHOWER SINK	1	EA	100.00	100.00
15	BATH SINK	1	EA	100.00	100.00
16	KITCHEN SINK	1	EA	100.00	100.00
17	BATHROOM SINK	1	EA	100.00	100.00
18	BEDROOM SINK	1	EA	100.00	100.00
19	LIVING AREA SINK	1	EA	100.00	100.00
20	STAIRCASE SINK	1	EA	100.00	100.00
21	HALLWAY SINK	1	EA	100.00	100.00
22	CLINICAL SINK	1	EA	100.00	100.00
23	LABORATORY SINK	1	EA	100.00	100.00
24	RESEARCH SINK	1	EA	100.00	100.00
25	STORAGE SINK	1	EA	100.00	100.00
26	RESTROOM SINK	1	EA	100.00	100.00
27	TOILET SINK	1	EA	100.00	100.00
28	SHOWER SINK	1	EA	100.00	100.00
29	BATH SINK	1	EA	100.00	100.00
30	KITCHEN SINK	1	EA	100.00	100.00
31	BATHROOM SINK	1	EA	100.00	100.00
32	BEDROOM SINK	1	EA	100.00	100.00
33	LIVING AREA SINK	1	EA	100.00	100.00
34	STAIRCASE SINK	1	EA	100.00	100.00
35	HALLWAY SINK	1	EA	100.00	100.00
36	CLINICAL SINK	1	EA	100.00	100.00
37	LABORATORY SINK	1	EA	100.00	100.00
38	RESEARCH SINK	1	EA	100.00	100.00
39	STORAGE SINK	1	EA	100.00	100.00
40	RESTROOM SINK	1	EA	100.00	100.00
41	TOILET SINK	1	EA	100.00	100.00
42	SHOWER SINK	1	EA	100.00	100.00
43	BATH SINK	1	EA	100.00	100.00
44	KITCHEN SINK	1	EA	100.00	100.00
45	BATHROOM SINK	1	EA	100.00	100.00
46	BEDROOM SINK	1	EA	100.00	100.00
47	LIVING AREA SINK	1	EA	100.00	100.00
48	STAIRCASE SINK	1	EA	100.00	100.00
49	HALLWAY SINK	1	EA	100.00	100.00
50	CLINICAL SINK	1	EA	100.00	100.00
51	LABORATORY SINK	1	EA	100.00	100.00
52	RESEARCH SINK	1	EA	100.00	100.00
53	STORAGE SINK	1	EA	100.00	100.00
54	RESTROOM SINK	1	EA	100.00	100.00
55	TOILET SINK	1	EA	100.00	100.00
56	SHOWER SINK	1	EA	100.00	100.00
57	BATH SINK	1	EA	100.00	100.00
58	KITCHEN SINK	1	EA	100.00	100.00
59	BATHROOM SINK	1	EA	100.00	100.00
60	BEDROOM SINK	1	EA	100.00	100.00
61	LIVING AREA SINK	1	EA	100.00	100.00
62	STAIRCASE SINK	1	EA	100.00	100.00
63	HALLWAY SINK	1	EA	100.00	100.00
64	CLINICAL SINK	1	EA	100.00	100.00
65	LABORATORY SINK	1	EA	100.00	100.00
66	RESEARCH SINK	1	EA	100.00	100.00
67	STORAGE SINK	1	EA	100.00	100.00
68	RESTROOM SINK	1	EA	100.00	100.00
69	TOILET SINK	1	EA	100.00	100.00
70	SHOWER SINK	1	EA	100.00	100.00
71	BATH SINK	1	EA	100.00	100.00
72	KITCHEN SINK	1	EA	100.00	100.00
73	BATHROOM SINK	1	EA	100.00	100.00
74	BEDROOM SINK	1	EA	100.00	100.00
75	LIVING AREA SINK	1	EA	100.00	100.00
76	STAIRCASE SINK	1	EA	100.00	100.00
77	HALLWAY SINK	1	EA	100.00	100.00
78	CLINICAL SINK	1	EA	100.00	100.00
79	LABORATORY SINK	1	EA	100.00	100.00
80	RESEARCH SINK	1	EA	100.00	100.00
81	STORAGE SINK	1	EA	100.00	100.00
82	RESTROOM SINK	1	EA	100.00	100.00
83	TOILET SINK	1	EA	100.00	100.00
84	SHOWER SINK	1	EA	100.00	100.00
85	BATH SINK	1	EA	100.00	100.00
86	KITCHEN SINK	1	EA	100.00	100.00
87	BATHROOM SINK	1	EA	100.00	100.00
88	BEDROOM SINK	1	EA	100.00	100.00
89	LIVING AREA SINK	1	EA	100.00	100.00
90	STAIRCASE SINK	1	EA	100.00	100.00
91	HALLWAY SINK	1	EA	100.00	100.00
92	CLINICAL SINK	1	EA	100.00	100.00
93	LABORATORY SINK	1	EA	100.00	100.00
94	RESEARCH SINK	1	EA	100.00	100.00
95	STORAGE SINK	1	EA	100.00	100.00
96	RESTROOM SINK	1	EA	100.00	100.00
97	TOILET SINK	1	EA	100.00	100.00
98	SHOWER SINK	1	EA	100.00	100.00
99	BATH SINK	1	EA	100.00	100.00
100	KITCHEN SINK	1	EA	100.00	100.00

## E2.3 GENERAL NOTES:

1. UNLESS OTHERWISE NOTED ALL HOIST PANEL CIRCUIT CONDUCTORS SHALL BE #10 AWG
2. ALL EMERGENCY AND EXIT LIGHTS SHALL BE INSTALLED IN THE NEAREST UNINTERRUPTED EMERGENCY LIGHTING CIRCUIT CONDUCTOR

## E2.3 SPECIFIC NOTES:

1. ROUTE HOISTERS TO ASSOCIATED KITCHEN UNIT PANELS TYPICAL ALL UNITS.
2. SEE ONE LINE DIAGRAM FOR CIRCUIT DETAILS. COORDINATE LOCATION OF HOISTERS WITH MECHANICAL CONTRACTOR.
3. COORDINATE LOCATION OF HOISTERS WITH MECHANICAL CONTRACTOR.
4. SEE ONE LINE DIAGRAM FOR CIRCUIT DETAILS. COORDINATE LOCATION OF HOISTERS WITH ELEVATOR CONTRACTOR.

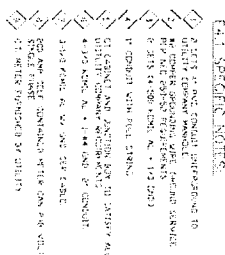


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**ROZAS • WARD**  
ARCHITECTS

**PALMISANO**  
CONTRACTORS



SCHEDULE OF PAYMENT									
1. NAME OF THE CONTRACTOR: <b>SHRI S. S. Kulkarni &amp; Co.</b> 2. ADDRESS: <b>101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903</b>									

## HABANA PLAN OBSERVATIONS – TO WHOM IT MAY CONCERN

The Upstairs Deck is classified as part of the Assembly Space, not part of the Residential Space, on which the Architect says there is 49 person occupant load. In fact, by the area it is a 128 person occupant load.

NFPA 101 Life Safety Code 2012 Ed., which is the Fire Marshal's Code, states in Table 7.3.1.2 that Assembly Use, concentrated without fixed seating, should calculate occupant load at 7 net sf per occupant. With a plan area of 900 sf, the standard calculation would be 128 occupants on the upstairs deck

The definition of "net floor area" is defined in NFPA 101 under Ch. 3, Definitions, 3.3.21.2 Area, 3.3.21.2.2 Net Floor Area does not allow for carved out pathways for exiting as shown in Sheet A1.2 of the architect's drawings. The definition only allows for deductions for columns, hallways, stairs, closets. It is unheard of to claim that there will not be occupants in the egress pathways the architect shows in his drawings, in order to get load below 50 (49.). The requirements for sprinkler system and fire ratings shoot up when there are more than 49 occupants. The only way to hold the occupancy at 49 is to put chairs and tables that seat only 49 on the roof. There are no drawings of any tables and chairs up on the roof. The architect states on Sheet A1.2 that an appeal will be filed with the Fire Marshal to claim only 49 occupants, Such an appeal could not be granted without putting tables and chairs up there to limit the standing room aspect. We can't imagine this being practical.

The above observations are examples of the number of conflicts seen between architectural drawings (A sheets) and Engineering drawings, so numerous as to appear to us to constitute incomplete CD Phase drawings in the submittal by the VCC. Would this be of concern to Safety & Permits? If not, should we speak with the State Fire Marshall instead?

We see other yes-here-but-no-there inconsistencies/absences regarding doors, framing, new/old, drawing dates, fire rating details, etc. We can't tell if these only require simple drafting corrections or if they are fundamental problems.

A closing example is Drawing S1.0, General Notes, No.19 Design Loads and Other Pertinent Information, C. Roof Live Load, 1. 20 PSF. Are we correct in expecting this to be 100 PSF or more for the true occupancy?

CITIZENS ACTION COMMITTEE January 22, 2015

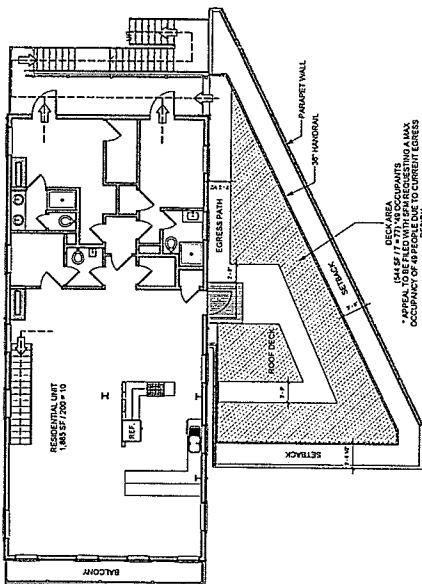
USE TYPE: ASSEMBLY (R.1.2)

PER NFPA TABLE 7.3.1.2 - OCCUPANT LOAD FACTOR

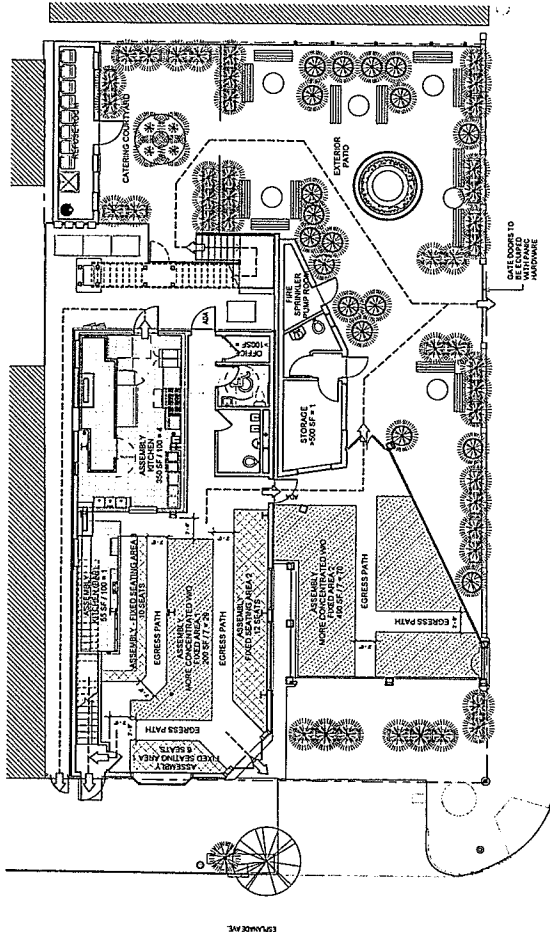
ASSEMBLY - MORE CONCENTRATED W/O FIXED SEATING  
7 SF PER PERSON

ASSEMBLY - FIXED SEATING  
NUMBER OF FIXED SEATS

ASSEMBLY - KITCHEN  
100 SF PER PERSON

[illegible]

② 2ND FLOOR - LIFE SAFETY PLAN  
1/8" = 1'-0"



1 1ST FLOOR - LIFE SAFETY PLAN  
8/08 - 8/08

[illegible]

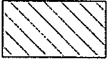
**ROZAS • WARD**  
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A PRIC ESSOHU CORPORATION  
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CONTRACTORS  
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# OCCUPANT USE

USE TYPE: ASSEMBLY (6.1.2)

PER NFPA TABLE 7.3.1.2 - OCCUPANT LOAD FACTOR

- 

ASSEMBLY - MORE CONCENTRATED W/O FIXED SEATING
- 

ASSEMBLY - FIXED SEATING
- 

ASSEMBLY - KITCHEN
- 7 SF NET PER PERSON
- NUMBER OF FIXED SEATS
- 100 SF PER PERSON

# OCCUPANCY LOAD CHART

## ASSEMBLY OCCUPANCY

### 1ST FLOOR

ASSEMBLY MORE CONCENTRATED W/O FIXED AREA 1

29

ASSEMBLY MORE CONCENTRATED W/O FIXED AREA 2

70

ASSEMBLY FIXED SEATING AREA 1

6

ASSEMBLY FIXED SEATING AREA 2

12

ASSEMBLY FIXED SEATING AREA 3

10

STORAGE

1

OFFICE

1

KITCHEN

4

KITCHEN (BAR)

1

### 2ND FLOOR

DECK AREA

49

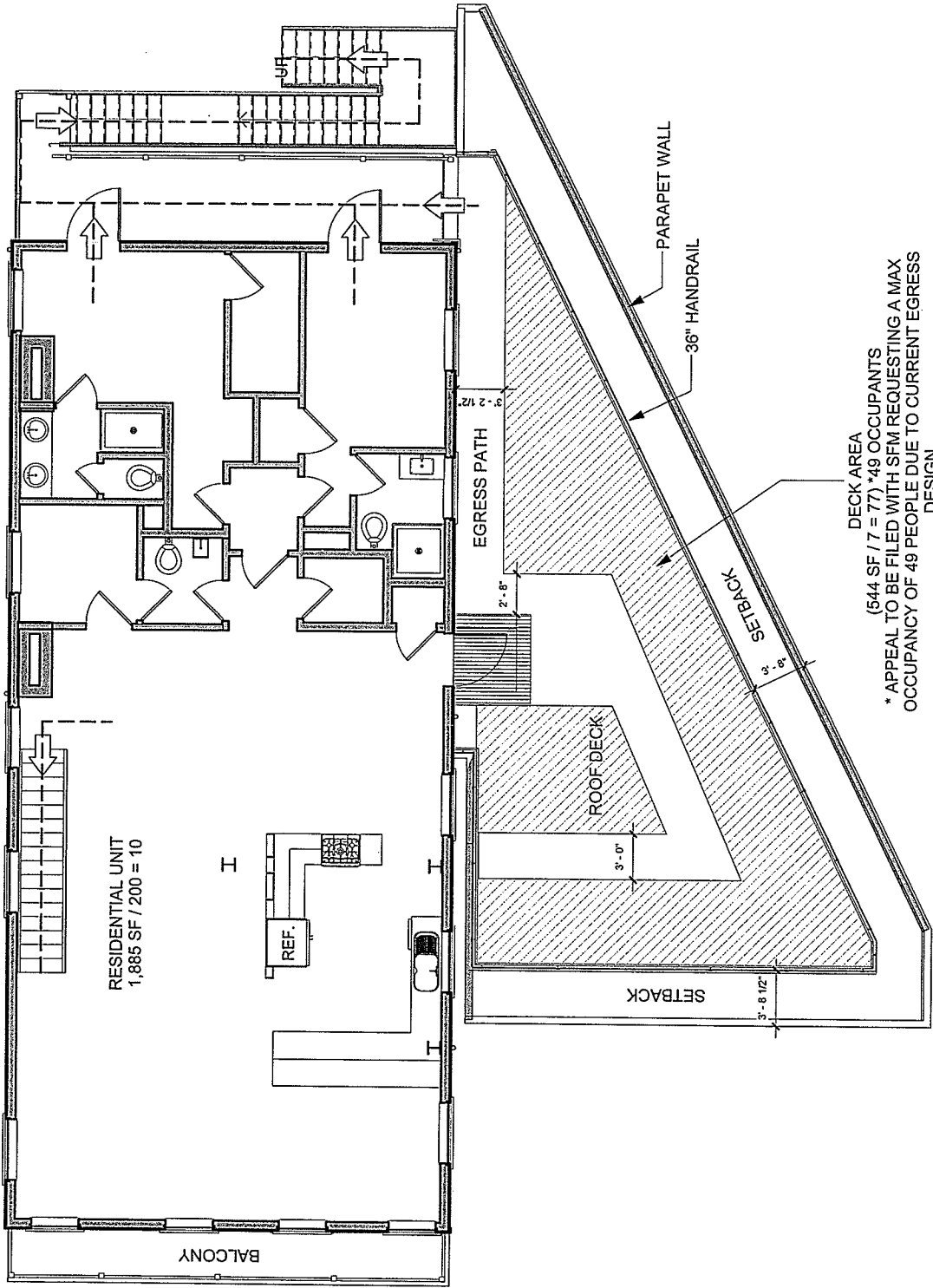
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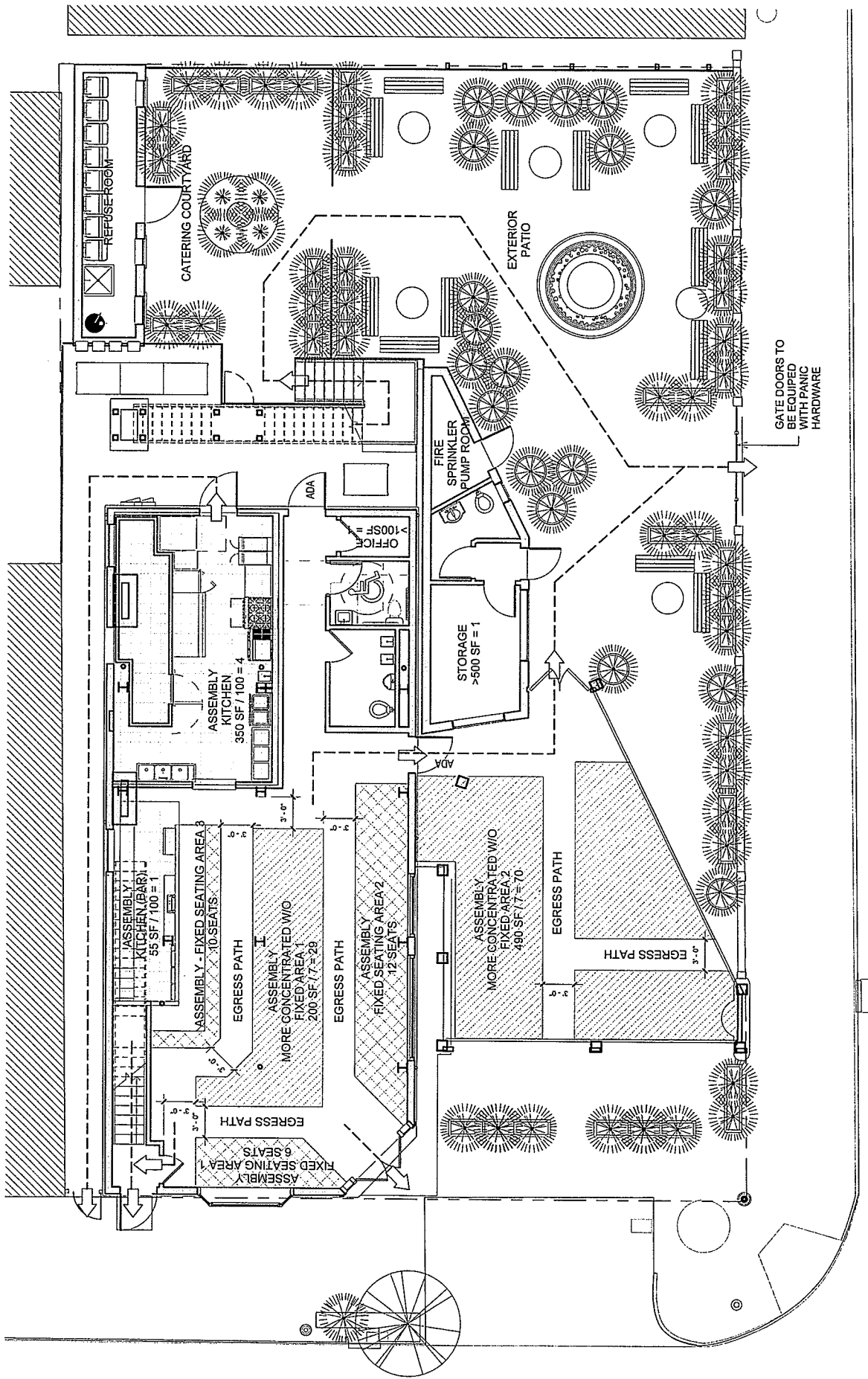
183

RESIDENTIAL OCCUPANCY  
2ND FLOOR  
RESIDENTIAL UNIT

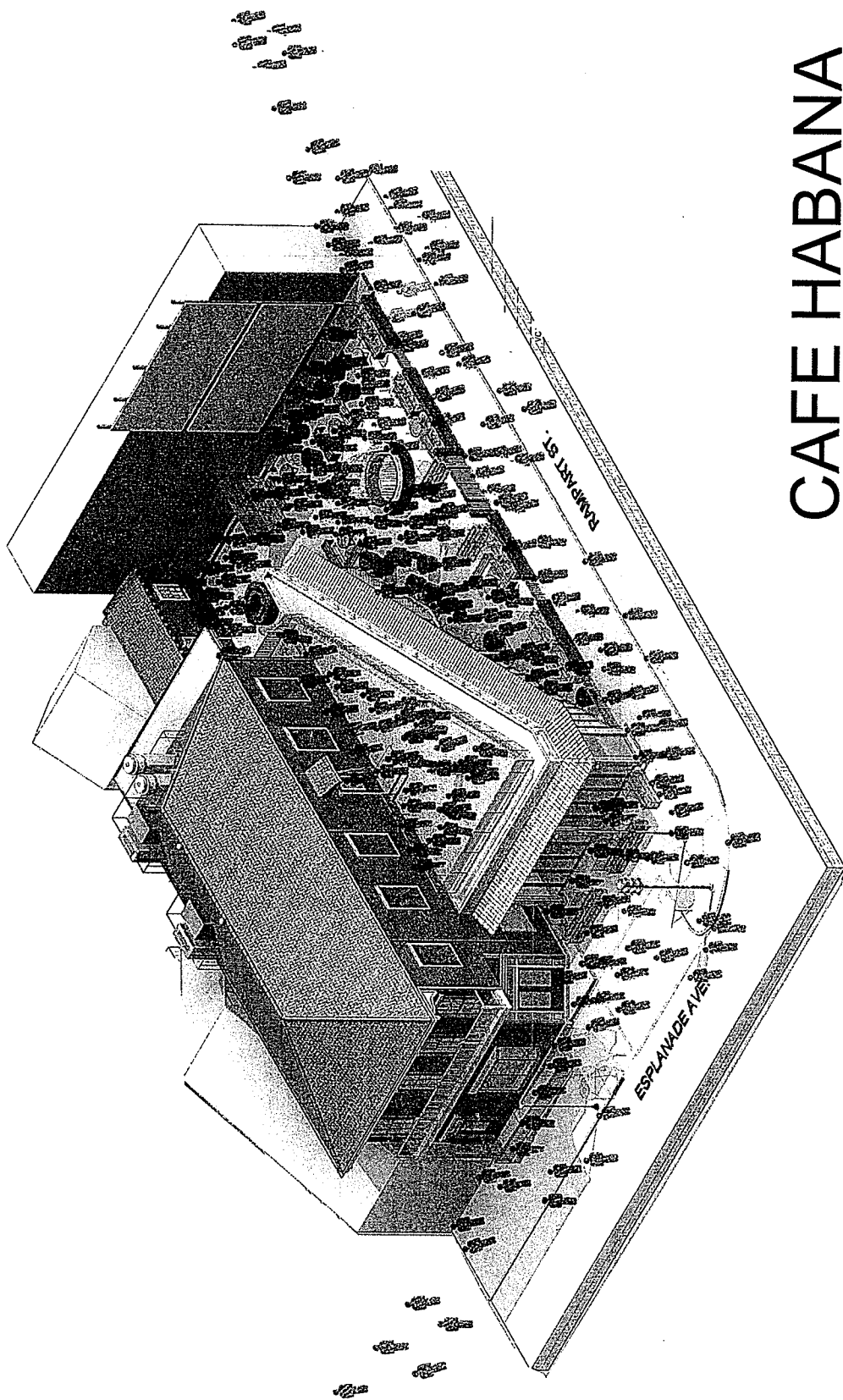
10





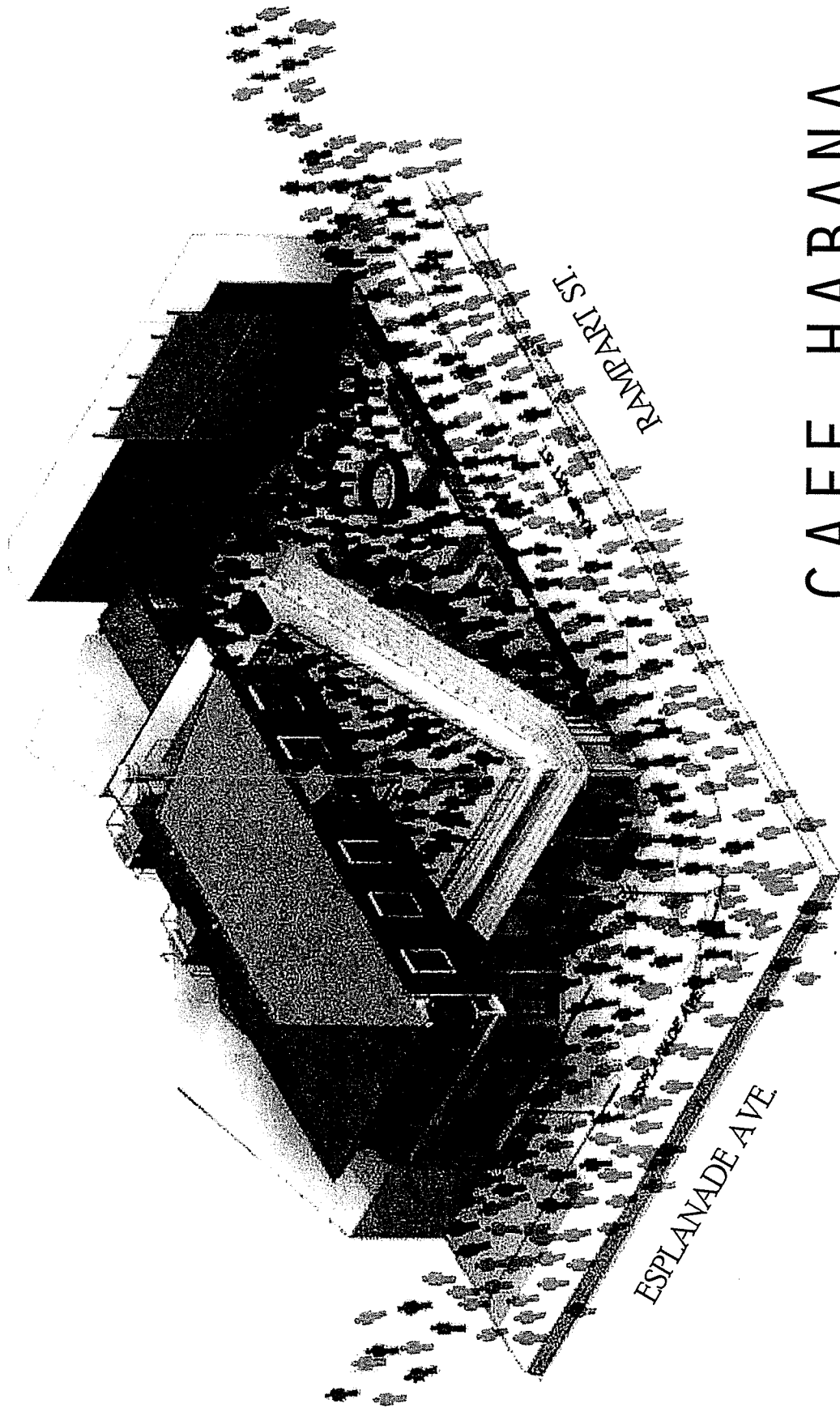


1 1ST FLOOR - LIFE SAFETY PLAN  
1/8" = 1'-0"



# CAFE HABANA

## 200 PEOPLE



# CAFE HABANA 400 PEOPLE